



W.P.(MD)No.15573 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.15573 of 2023
and W.M.P(MD)No.13088 of 2023

Ganapathy

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Superintendent of Police,
Madurai District.

3.The District Revenue Officer,
Madurai District.

4.The Revenue Divisional Officer,
Thirumangalam Division,
Madurai District.

5.The Thasildar,
Thirupparankundram Taluk,
Madurai District.

6.The Inspector of Police,
Perungudi Police Station,
Madurai District.



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7.Sundara Kannan

8.Gurunathan

9.Darma Ilakkiya

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus forbearing the respondents 5 and 6 from interfering with the civil dispute between the petitioner and the respondents 7 to 9 in the guise of sureying the subject land in S.No.83/2 in Periya Alangaulam Village, Thirupparankundram Taluk, Madurai District to the extent of 0.40.50 Ares (1 Acre).

For Petitioner : Mr.R.Gowrishankaar

For R1 to R6 : Mr.J.Ashok

Additional Government Pleader

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a restraint against the respondents 5 and 6, the Tahsildar, Thirupparankundram Taluk and the Inspector of Police, Perungudi, Madurai District, not to interfere with the civil dispute between the petitioner and the respondents 7 to 9.

2. It is contended that the respondents 5 and 6 are trying to survey the land in S.No.83/2 in Periya Alangaulam Village, Thirupparankundram Taluk, Madurai District to the extent of 0.40.50



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Ares (1 Acre). With respect to the very same land, the petitioner had instituted O.S.NO.167 of 2022 as against 37 defendants. The suit is still pending before the District Munsif Court, Thirumangalam. Since the suit is pending, this Court cannot interfere with the ongoing suit and direct how the suit must be conducted by the District Munsif Court, Thirumangalam. The petitioner is at liberty to approach the District Munsif, Thirumangalam, wherein the suit is pending seeking the aforesaid relief if it is legally permissible. An order of restraint cannot be granted by this Court as against the respondents 5 and 6 from discharging their duties.

3. In the result, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

30.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM



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C.V.KARTHIKEYAN, J.

CM

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