



W.P.(MD).No.18343 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.18343 of 2021
and
W.M.P.(MD).No.15150 of 2021**

M.Sivalingam

... Petitioner

Vs.

1.The District Collector,
Collectorate Office,
Pudukkottai District.

2.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

3.The Branch Manager,
Tamil Nadu Small Enterprises and Development Industry,
Sidco Industries,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents or their men or agents not to disturb the peaceful possession and enjoyment of the petitioner's land in Survey No.80/9, 80/10, 80/11 and 80/12 of an extent of 64 acres situated at Alangudi Village, Pudukkottai District.



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For Petitioner : Mr.S.Rajamanickam
For R-1 and R-2 : Mr.R.Suresh Kumar,
Additional Government Pleader.
For R-3 : Mr.T.Sakthikumaran

ORDER

This Writ Petition is filed for Mandamus, forbearing the respondents or their men or agents not to disturb the peaceful possession and enjoyment of the petitioner's land in Survey No.80/9, 80/10, 80/11 and 80/12 of an extent of 64 acres situated at Alangudi Village, Pudukkottai District.

2. When the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner already filed W.P.(MD).Nos.8110 to 8112 of 2009 and this Court vide order dated 19.08.2009 directed the respondents to consider his claim and pass orders. Since the respondents did not consider, the petitioner filed Contempt Petition in Cont.P.(MD)No.103 of 2016. When the Contempt Petition was taken up for hearing, the respondents have passed the proceedings dated 23.11.2015. Recording the same, this Court closed the Contempt Petition vide order dated



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03.06.2016. Since the respondents have considered the petitioner's claim and have passed the proceedings dated 23.11.2015, again Mandamus cannot be issued. Therefore, the petitioner is at liberty to challenge the aforementioned order dated 23.11.2015.

3. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

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S.SRIMATHY, J.

Nsr

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