



W.P.(MD)No.4826 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.4826 of 2016

Krishnakanthan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Executive Officer,
Special Grade Panchayat,
Courtallam-627 802.

3.Rani @ Samundeeswari

4.Nithin Sha

5.Radhakrishnan

6.Sundar

7.Valarmathi

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the records of the second respondent in Ka.Vi.No.12/2015-2016 dated 19.11.2015 and Ka.Vi.No.9/2015-2016 dated 05.11.2015 and quash the same.

For Petitioner :Mr.V.Janakidevi

For Respondents :Mr.C.Baskaran
Government Advocate for R1
Mr.M.Rajarajan for R2
Mr.M.Saravanan
for R6 and R7
No-appearance for R3 and R4
R5-Tapal Due

ORDER

The petitioner has assailed the orders dated 19.11.2015 and 05.11.2015 of the second respondent, by which the building permission requested for by the 5th to 7th respondents was granted.

2. Learned Senior counsel for the petitioner submits that the petitioner initiated proceedings before the jurisdictional Civil Court in respect of the property in question. Since the petitioner was unsuccessful in the first appeal, S.A.Nos.150 and 151 of 2017 were filed and the said



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appeals are pending adjudication. Learned Senior counsel submits fairly that the petitioner has to establish title to the relevant property in the two appeals in order to succeed. Therefore, he makes a request that the petition be disposed of by leaving it open to the contesting private parties to work out their remedies in the civil Court.

3. In light of the above submissions, the impugned orders do not call for interference and W.P(MD).No.4826 of 2016 is disposed of by leaving it open to the parties to work out their remedies in the civil proceedings. There shall be no order as to costs.

23.03.2023

NCC :No
Internet :Yes
Index :No
sbn/ssb



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To
WEB COPY

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SENTHILKUMAR RAMAMOORTHY, J.

sbn/ssb

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