



W.P.(MD)No.24189 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24189 of 2023

and

W.M.P.(MD)No.20372 of 2023

1.Vijayapandian

2.V.Mary

3.V.Vimalkumar

... Petitioners

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal Sub-Division,
Dindigul District.

3.K.Mariyammal

... Respondents

*(R3 is impleaded vide order dated
03.11.2023 in W.M.P.(MD)No.21417 of 2023
in W.P.(MD)No.24189 of 2023 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to relegate the parties in proceedings Na.Ka.284/2022/A2 or any other persons approaching the 2nd respondent in respect of the

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properties comprised in Survey Nos.2301/1 and 2301/3 comprised in Vilpatty Village, Kodaikanal Taluk, Dindigul District which are subjected to the pending suit in O.S.No.56 of 2022 on the file of the Learned District Munsif Court, Kodaikanal to approach the Civil Court on the basis of the petitioner's representation dated 18.09.2023 to the respondents.

For Petitioners : Mr.I.Sam Jegan

For Respondents : Mr.M.Sidharthan,
Addl. Government Pleader for R1 & R2.
Mr.S.Gokulraj for R3.

ORDER

Heard both sides.

2.I consciously refrain from going into the merits of the matter. The case of the petitioner is that the second respondent will not have any jurisdiction to pass an order. This contention is strongly contested by the learned counsel for the private respondent.

3.The parties can argue on merits after the second respondent passes the order.



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4.The learned counsel for the third respondent draws my attention to the order dated 03.10.2023 made in W.P.(MD)No.23980 of 2023. I had directed the second respondent to pass an order on merits and in accordance with law.

5.The petitioner can very well move this Court if any adverse order is passed by the second respondent.

6.Leaving open the contentions of both the parties, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal Sub-Division,
Dindigul District.

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G.R.SWAMINATHAN, J.

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