



WEB COPY



W.P.No.2597 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.02.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.2597 of 2024
and WMP No.2845 of 2024

Sivakumar

.... Petitioner

Vs

1. The Sub Collector,
Mettur, Salem District.
2. The Tahsildar,
Kadaiyampatti Taluk,
Salem District.
3. The Block Development Officer,
Block Development Office,
Kadaiyampatti Taluk,
Salem District.
4. The Sub Registrar
Omalur, Salem District.
5. The Assistant Executive Engineer
(Operation and Maintenance),
TANGEDCO, Kadaiyampatti,
Salem District.



W.P.No.2597 of 2024

6. Raja

.... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 5th respondent from dealing with the properties in any manner in respect of the lands comprised in S.Nos.10, 11/2, 12/2, 12/3, 12/4, 11/1B, 1 and 12/5 situated in Amanikookuttapatti Village, Kadaiyampatti Taluk, Salem District to effect service connection based on the petitioner's representation 30.09.2023.

For Petitioner : Mr.J.Shahul Hameed
for Mr.N.Anand

For Respondents : Mr.John J. Raja Singh

Additional Government Pleader – R1 & R2

Mr.V.Nanmaran

Special Government Pleader – R3

Mr.C.Selvaraj

Additional Government Pleader – R4

Mr.I. Syed Sibghatulla

Standing Counsel - R6

ORDER

Mr.J.Shahul Hameed, learned counsel appearing for Mr.N.Anand, learned counsel on record for the petitioner would fairly point out that a Suit is pending as against the 6th respondent in O.S.No.217 of 2018 on the file of



W.P.No.2597 of 2024

District Munsif Court, Omalur, Salem. An application has also been filed in the said Suit seeking interim relief.

2. The petitioner states that he is constrained to approach this Court seeking mandamus for the reason that the application is kept pending since 2018, on account of the inordinate delay.

3. In view of the fact that the Civil Court is seized of the same prayer as in the representation before the authorities and the prayer before me, it would be more appropriate to direct the District Munsif Court, Omalur, Salem to dispose the interim application within a period of twelve (12) weeks from date of receipt of a copy of this order.

4. A copy of this order may be produced by the petitioner before the District Munsif for necessary action.

5. This Writ Petition and the connected Miscellaneous Petition is closed with liberty as aforesaid. No costs.

07.02.2024

Index : Yes / No

Speaking order/Non-speaking order

Neutral citations: Yes

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W.P.No.2597 of 2024

Dr.ANITA SUMANTH,J.

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To

- 1.The Sub Collector,
Mettur, Salem District.
2. The Tahsildar,
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Salem District.
3. The Block Development Officer,
Block Development Office,
Kadaiyampatti Taluk,
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