



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.9809 of 2018
and W.M.P.Nos.11736 & 11737 of 2018

Irugur Indra Nagar Nala Sangam (S/No.137/09)
Rep. by its President R.Natarajan
Having office at S.F.No.341
Common Play Ground
Indra Nagar, Irugur,
Irugur Town Panchayat,
Coimbatore

.. Petitioner

Vs.

- 1.The District Collector,
Coimbatore.
- 2.The Additional Director (Panchayat)
Coimbatore.
- 3.The Executive Officer,
Irugur Town Panchayat,
Irugur, Coimbatore – 641 103.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notice in Na.Ka.No.133/2017 dated 27.3.2018 issued by the 3rd respondent and



quash the same consequently allow the petitioner's association run at S.F.No.341,

Common Play ground, Indra Nagar, Irugur, Irugur Town Panchayath, Coimbatore.

For Petitioner .. Mr.T.Ganesan

For Respondents .. Mr.N.Naveen Kmar
Government Advocate
for R1 & R2

Mr.D.Surya Narayanan for R3

ORDER

This writ petition has been filed in the nature of certiorarified mandamus questioning the notice dated 27.03.2018 issued by the 3rd respondent, Executive Officer, Irugur Town Panchayat in Coimbatore and to quash the same.

2.The petitioner seeks that the Association may run the common play ground at Indra Nagar in Irugur in Coimbatore in S.F.No.341. It had already been informed to this Court that O.S.No.1579 of 2017 had been filed before the II Additional District Munsif Court at Coimbatore relating to the very same property. The suit had been subsequently transferred to the District Munsif Court at Sulur and renumbered as O.S.No.131 of 2023. It had been dismissed for non-prosecution



on 02.03.2024. The 3rd respondent had been directed to take possession of the property. The copy of the judgment in O.S.No.131 of 2023 had also been produced before this Court. The petitioner has not appeared before the Court. There cannot be two proceedings launched by the petitioner one before the Civil Court and another before this Court seeking the very same relief.

3.This writ petition had been filed in the year 2018 and even prior to this, in the year 2017, the suit had been filed. It is quite clear that the petition has been filed on the basis of speculation that some order would be passed since no order had been passed by the District Munsif Court. The suit had been dismissed by the District Munsif Court at Sular. This writ petition is dismissed by this Court. No Costs. Consequently, connected miscellaneous petitions are closed.

12.12.2024

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr



WEB COPY



4

C.V.KARTHIKEYAN,J.

SSI

To

- 1.The District Collector,
Coimbatore.
- 2.The Additional Director (Panchayat)
Coimbatore.
- 3.The Executive Officer,
Irugur Town Panchayat,
Irugur, Coimbatore – 641 103.

W.P.No.9809 of 2018
and W.M.P.Nos.11736 & 11737 of 2018

12.12.2024