



W.P.No.35513 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

**W.P.No.35513 of 2024**

Venkatesan  
S/o.Late Mr.Ramasamy

... Petitioner

Vs.

1. The District Collector  
Office of the Collectorate  
Perambalur - 621 212.
2. The Tahsildar  
Perambalur 621 212.
3. The Revenue Inspector  
Perambalur 621 212.
4. D.Manikandan  
S/o. Duraisamy

... Respondents

**Prayer :**

Writ Petition filed under Article 226 of The Constitution of India  
praying to issue a Writ of Mandamus to direct the respondents to restore the

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original FMB showing the water canal leading through the property comprised in S.No.493/3F, 3E, 3D and 3H belonging to the private respondent and direct the official respondents to restore the original water canal already available on the property and thereby implement the earlier order passed by the Tahsildar dated 05.06.2020 bearing Na.Ka.No.A2/1407/2020.

For Petitioner : Mr.G.Ilamurugu  
For Respondents : Mr.M.S.Arasakumar  
Government Advocate  
for R1 to R3

### **ORDER**

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity} has been filed with a mandamus prayer with regard to restoration of original FMB sketch which according to writ petitioner shows a water canal leading through a 'property comprised in S.No.493/3F, 3E, 3D and 3H, Eraiyur Village, Perambalur Taluk and District' {hereinafter 'said property' for the sake of brevity, convenience and clarity}. Said property belongs to R4



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(private respondent).

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2. Issue notice to official respondents

3. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R3 and learned State Counsel submits that as regards the said property on the very same subject matter, writ petitioner has filed a suit in O.S.No.77 of 2020 on the file of District Munsif Court, Perambalur. It is pointed out by learned State Counsel that there is no mention about the suit in the support affidavit.

4. We therefore, went into the official E-Courts website and ferreted out the details of the suit which are as follows:



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16/05/2024 16:06

16/05/2024 16:06

### Case Status : Search by Case Number

This form needs JavaScript enabled to work.

- Case Number
- CR Number
- Case Name
- Advocate Name
- Case Code
- Act
- Case Type

All fields marked with \* are required.

Please select radio button

☒ Court Complex ☐ Court Establishment

Court Establishment \*

Search Court Establishment

Case Type

Search

Case Number \*

Type Case Number

Year \*

Type Year

Please Enter the Captcha \*

Refresh

Enter Captcha \*

Search

View all Cases of Court, Perambalur

| Serial Number | Case Type, Case Number & Case Year | Petitioner versus Respondent     | View                 |
|---------------|------------------------------------|----------------------------------|----------------------|
| 1.            | OS/05/2024                         | Vengaluru<br>Vasala<br>Mazhondar | <a href="#">View</a> |

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### PRIDM and Addl.DM COURT, PERAMBALUR.

Case Details

| Case Type          | Filing Number | Filing Date | Registration Number | Registration Date | CNR Number       |
|--------------------|---------------|-------------|---------------------|-------------------|------------------|
| OS - Original Suit | 464/2024      | 11/05/2024  | 764/2024            | 11/05/2024        | CNPR000464000020 |

Case Status

| First Hearing Date | Next Hearing Date | Case Status | Stage of Case | Court Number and Judge |
|--------------------|-------------------|-------------|---------------|------------------------|
|--------------------|-------------------|-------------|---------------|------------------------|



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| First Hearing Date | Next Hearing Date | Case Status | Stage of Case                                           | Court Number and Judge     |
|--------------------|-------------------|-------------|---------------------------------------------------------|----------------------------|
| 17 September 2020  | 16 January 2021   | Pending     | A: EA Pending / CSM Pending / CRP Pending / CSM Pending | 5-Principal (Verna Mwanji) |

For more information:

- \* 11 November

Subdegree: G. S. HOUSTON, JR., B2.

## Hepatitis (10) 44-46

- 1) Manikandru

Address: P. SIVANANDARAN, B.Sc., B.L.

## 9.118

|                               |                  |
|-------------------------------|------------------|
| Under Axis)                   | Under Section(s) |
| College of Health Professions | 1500             |

## A. Scenario

| IA Number                    | Party Name             | Date of Filing | Next Date  | IA Status |
|------------------------------|------------------------|----------------|------------|-----------|
| IA-1/2020<br>Classification: | Verigear Manufacturing | 03-01-2020     | 01-05-2022 | Disposed  |
| IA-2/2020<br>Classification: | Verigear Manufacturing | 12-07-2020     | 05-01-2023 | Pending   |

### Case History

| Registration Number | Judge                      | Business Or Date  | Hearing Date | Purpose of hearing |
|---------------------|----------------------------|-------------------|--------------|--------------------|
| 77-2020             | Principal District Marshal | <u>03-08-2020</u> | 08-08-2020   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>06-10-2020</u> | 08-10-2020   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>05-12-2020</u> | 19-01-2021   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>22-01-2021</u> | 15-03-2021   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>18-03-2021</u> | 03-06-2021   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>25-06-2021</u> | 01-07-2021   | Written Statement  |
| 77-2020             | Principal District Marshal | <u>24-07-2021</u> | 03-2021      | Written Statement  |
| 77-2020             | Principal District Marshal | <u>11-08-2021</u> | 03-09-2021   | Issues             |
| 77-2020             | Principal District Marshal | <u>08-08-2021</u> | 06-10-2021   | Issues             |



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| Registration Number | Judge                     | Business On Date | Hearing Date | Purpose of hearing                                        |
|---------------------|---------------------------|------------------|--------------|-----------------------------------------------------------|
| 67/2020             | Principal District Munsif | 06-10-2021       | 16-11-2021   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 77/2020             | Principal District Munsif | 10-11-2021       | 04-12-2021   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 67/2020             | Principal District Munsif | 04-12-2021       | 07-01-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 77/2020             | Principal District Munsif | 07-01-2022       | 07-02-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 67/2020             | Principal District Munsif | 07-02-2022       | 02-03-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 67/2020             | Principal District Munsif | 02-03-2022       | 10-03-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 77/2020             | Principal District Munsif | 30-03-2022       | 21-04-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 67/2020             | Principal District Munsif | 21-04-2022       | 21-06-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 67/2020             | Principal District Munsif | 21-06-2022       | 05-08-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 77/2020             | Principal District Munsif | 05-08-2022       | 18-08-2022   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 77/2020             | Principal District Munsif | 18-08-2022       | 11-10-2022   | Trial                                                     |
| 67/2020             | Principal District Munsif | 11-10-2022       | 11-11-2022   | Trial                                                     |
| 67/2020             | Principal District Munsif | 11-11-2022       | 05-12-2022   | Trial                                                     |
| 77/2020             | Principal District Munsif | 02-12-2022       | 10-01-2023   | Trial                                                     |
| 77/2020             | Principal District Munsif | 10-01-2023       | 21-02-2023   | Trial                                                     |
| 67/2020             | Principal District Munsif | 21-02-2023       | 27-03-2023   | Trial                                                     |
| 77/2020             | Principal District Munsif | 27-03-2023       | 25-04-2023   | Trial                                                     |
| 67/2020             | Principal District Munsif | 25-04-2023       | 30-06-2023   | Trial                                                     |
| 77/2020             | Principal District Munsif | 30-06-2023       | 11-07-2023   | Trial                                                     |
| 77/2020             | Principal District Munsif | 11-07-2023       | 27-07-2023   | For further Proceedings                                   |
| 67/2020             | Principal District Munsif | 27-07-2023       | 24-08-2023   | Await Records                                             |
| 77/2020             | Principal District Munsif | 24-08-2023       | 26-09-2023   | Await Orders                                              |

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| Registration Number | Judge                     | Buiness On Date | Hearing Date | Purpose of hearing                                        |
|---------------------|---------------------------|-----------------|--------------|-----------------------------------------------------------|
| 770020              | Principal District Munsif | 26-06-2023      | 28-11-2023   | Award Reports                                             |
| 770020              | Principal District Munsif | 10-11-2023      | 29-11-2023   | Award Reports                                             |
| 770020              | Principal District Munsif | 26-11-2023      | 14-12-2023   | Award Reports                                             |
| 770020              | Principal District Munsif | 26-12-2023      | 18-01-2024   | Award Reports                                             |
| 770020              | Principal District Munsif | 18-01-2024      | 07-02-2024   | Step                                                      |
| 770020              | Principal District Munsif | 07-02-2024      | 13-02-2024   | Step                                                      |
| 770020              | Principal District Munsif | 13-02-2024      | 14-03-2024   | Step                                                      |
| 770020              | Principal District Munsif | 14-03-2024      | 21-03-2024   | Step                                                      |
| 770020              | Principal District Munsif | 21-03-2024      | 04-04-2024   | Step                                                      |
| 770020              | Principal District Munsif | 11-04-2024      | 23-06-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 23-06-2024      | 29-07-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 29-07-2024      | 11-08-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 11-08-2024      | 24-08-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 24-08-2024      | 01-09-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 01-09-2024      | 15-10-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 15-10-2024      | 09-11-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 09-11-2024      | 26-11-2024   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |
| 770020              | Principal District Munsif | 26-11-2024      | 26-01-2025   | IA / EA Pending / CMP Pending / CRP Pending / CMA Pending |

Total



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5. To be noted, writ petitioner is the plaintiff and R4 is the defendant in O.S.No.77 of 2020.

6. Writ petitioner having filed the suit, has filed the captioned WP without making any whisper much less about the suit number and details about the pendency of the suit. To be noted, the suit qua the same said property has been filed on 01.07.2020 which is pending even as of today and captioned WP has been filed on 14.10.2024.

7. On this short point, we are not inclined to entertain the captioned WP. Therefore, captioned WP is dismissed but making it clear that the suit will proceed on its own merits and in accordance with law untrammelled by the dismissal of the captioned WP. Considering the fair manner in which submissions have been made by learned counsel for writ petitioner, we refrain from imposing costs.

(M.S.,J.)

(K.R.S.,J.)

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Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

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- To
1. The District Collector  
Office of the Collectorate  
Perambalur - 621 212.
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  3. The Revenue Inspector  
Perambalur 621 212.



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**M.SUNDAR, J.,**  
**and**  
**K.RAJASEKAR, J.,**

*mk*

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