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W.P.No.32232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.32232 of 2024

Thirumathi Subbulakshmi
...Petitioner

Vs.

1. The District Collector,
District Collector Office,
Namakkal District.
2. The Thasildhar,
Mohanur Taluk,
Namakkal District.
3. Kuppusamy,
Panchayat President,
S.Vazhavanthi Panchayat Office,
Vazhavanthi Village, Mohanur Taluk,
Namakkal District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 to issue patta in survey no.210/56 situated in S. Vazhavanthi Village, Mohanur Taluk, Namakkal District, under free patta scheme, till the disposal of the suit in OS.No.108/2021 pending before the learned District Munsif Court, Paramathi,



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Namakkal District.

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For Petitioner : Mr.L.Chandra Kumar
for M/s. M.Saravanan

For R1 & R2 : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein filed this writ petition seeking issue of writ of Mandamus forbearing the respondents 1 and 2 from issuing patta in respect of the property bearing survey no.210/56 in S. Vazhavanthi Village, Mohanur Taluk, Namakkal District, under free patta scheme, till the disposal of the suit in OS.No.108/2021 on the file of the learned District Munsif Court, Paramathi, Namakkal District.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents 1 & 2, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that she filed a suit for permanent injunction restraining the official respondents from interfering with her



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possession over the suit property in O.S.No.108/2021 on the file of the District
Munsif Court, Paramathi, Namakkal District.

4. Now, the writ petition is filed seeking prohibitory order against the respondents 1 and 2 from issuing patta in respect of the subject property under free patta scheme.

5. Since the suit for permanent injunction against the respondents is pending before the Civil Court, it is always open to the petitioner to file an appropriate petition seeking interim protection before the Civil Court, Accordingly, this writ petition is dismissed with liberty to the petitioner to seek interim relief before the Civil Court. No costs.

29.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

To

1. The District Collector,
District Collector Office,



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Namakkal District.
2. The Thasildhar,
Mohanur Taluk,
Namakkal District.

S. SOUNTHAR, J.

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