



W.A.No.958 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.03.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA ,
CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

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1. Annammal
2. Vendavarasi
3. Santhi
4. Anandan
5. Janakiraman
6. Michael Raj
7. Kabali
8. Rajendran
9. Sumathi
10. Shakthivel
11. Lakshimi Alias Lalitha
12. Vendarasi Alias Saraswathi
13. Thilakam
14. Sridhar
15. Amirtham
16. Balaiyya
17. Alamelu
18. Perumal
19. Muthammal
20. Kumaravel
21. Gnanavel
22. Kanthavel
23. Chinnaponnu
24. Paramasivam
25. Kullammal



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26. Yasodha
27. Parvathi
28. Saradha
29. Kanniyammal
30. Vendarasi
31. Chinnaponnu
32. Amaravathi
33. Elumalai
34. Muthammal
35. Pandiyan
36. Rani
37. Arima Alias Annakili
38. Ravi

.. Appellants

Versus

1. G.Naseem
2. The District Collector,
Office of the District Collector,
Kancheepuram District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Chengalpet Kancheepuram District.
4. The Tahsildhar,
Thiruporur Taluk,
Kancheepuram District.

- I. Sadayan (Deceased)
- II. Mythili (Deceased)
- III. Thulasiammal (Deceased)
- IV. Mathiyazhakan (Deceased)

(Respondents I to IV are not necessary parties)

.. Respondents



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Prayer : Writ Appeal under Clause 15 of the Letters Patent to set aside the order, dated 12.06.2023 passed in W.M.P.No.16412 of 2023 in W.P.No.31395 of 2022 on the file of this Court.

For Appellants : Mr.D.Baskar

For Respondents : Mrs.V.J.Latha, for R1
: Mr.C.Kathiravan,
Special Government Pleader, for RR-2 to 4

JUDGMENT

(Judgment of the Court is made by the Hon'ble Chief Justice)

Heard Mr.D.Baskar, learned Counsel for the appellants; Mrs.V.J.Latha, learned Counsel for the first respondent and Mr.C.Kathiravan, learned Special Government Pleader for the respondent Nos.2 to 4.

2. The appellants challenge the order passed on 12.06.2023 in W.M.P.No.16412 of 2023 in W.P.No.31395 of 2022. Under the impugned order, interim injunction has been clamped against the appellants.

3. It is not disputed that after the order is passed by the learned Single Judge, the original writ petitioner has filed a Civil Suit and the same is pending. It is submitted that arguments are advanced in an interim application filed in the Civil Suit and the orders are reserved.



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4. Be that as it may, the injunction has been clamped under the impugned order. However, we do not find any prima facie finding of possession, irreparable loss and balance of convenience. The Writ Petition is pending before the learned Single Judge. It is for the learned Single Judge to decide the said Writ Petition on its own merits and the miscellaneous petition in W.M.P.No.16412 of 2023 also.

5. In view of the fact that the learned Single Judge, while passing the impugned order, has not given any prima facie finding of possession, irreparable loss and balance of convenience, we modify the said order of injunction into status *quo*. All the parties to the Writ Petition shall maintain status *quo* till the order is passed by the learned Single Judge in the Writ Petition on merits and / or the order is passed in the Civil Suit on an application for injunction filed by the original writ petitioner, whichever is earlier.

6. This Writ Appeal accordingly stands disposed of. There shall be no order as to costs. Consequently, C.M.P.No.6886 of 2024 is closed.



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(S.V.G., CJ.)

(D.B.C., J.)

26.03.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The District Collector,
Office of the District Collector,
Kancheepuram District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Chengalpet Kancheepuram District.
3. The Tahsildhar,
Thiruporur Taluk,
Kancheepuram District.



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**THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.**

grs

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