



W.A.(MD)No.466 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2024

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

W.A.(MD)No.466 of 2021

Padma

... Appellant/Petitioner

Vs

**1.The Commissioner,
Madurai Municipal Corporation,
Madurai.**

**2.The Member Secretary,
Local Planning Authority,
Madurai.**

**3.The District Collector,
Madurai District,
Madurai.**

4.Karthika

...Respondents/Respondents

Prayer:

This Writ Appeal is filed under Clause 15 of Letters Patent, to set aside the order passed in W.P.(MD)No.2451 of 2021, dated 10.02.2021 on the file of this Court.



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For Appellant : Ms.P.Jessi Jeeva Priya

For Respondents : Mr.S.Vinayak for R1

Mr.G.Suriyananth

Additional Government Pleader for R2 & R3

JUDGMENT

[Judgment of the Court was made by RMT.TEEKAA RAMAN, J.]

The Writ Appeal is filed against the order passed by this Court in W.P. (MD)No.2451 of 2021, dated 10.02.2021.

2.The writ petitioner is the appellant herein and she filed W.P.(MD)No. 2451 of 2021 before this Court to direct the first respondent to take appropriate action against the fourth respondent and further direct the respondents 1 to 3 to dispose of the petitioner's representation dated 01.02.2021. Admittedly, the petitioner and the contesting fourth respondent are sisters. Their father owned a cinema theatre and executed a settlement deed for an equal share. Since it is alleged that the fourth respondent started doing some repair work and demolition of the compound wall, hence, the petitioner has filed the above writ petition. This Court, by order dated 10.02.2021, directed the parties to approach the civil Court. Now, it is represented that the appellant/petitioner has filed O.S.No.28 of 2021



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before the Taluka Court, Madurai and also obtained an interim injunction in I.A.No.93 of 2022.

3.In view of the above and since the suit has already been taken on record and the interim order has been passed by the competent civil Court, we feel that the pendency of the writ appeal does not serve any parties. Hence, the Writ Appeal is closed with delegating the parties to agitate the matter before the civil forum. No costs.

[T.K.R., J.] [N.S., J.]

11.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Member Secretary,
Local Planning Authority,
Madurai.

2.The District Collector,
Madurai District,
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RMT.TEEKAA RAMAN, J.
and
N.SENTHILKUMAR, J.

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3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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