



W.A.(MD)No.371 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A.(MD)No.371 of 2024

and

C.M.P.(MD)No.3242 of 2024

Pandiarajan

: Appellant

Vs.

1.The District Collector,
Sivagangai.

2.The Block Development Officer,
Sakottai Panchayat,
Sivagangai District.

3.The Executive Officer,
Sankarapuram Panchayat Union,
Sivagangai District.

4.Devi

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent,
praying to set aside the judgment dated 09.02.2024 in W.M.P.
(MD)No.552 of 2024 in W.P.(MD)No.526 of 2024.



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For Appellant : Mr.G.Prabhu Rajadurai
for Mr.J.Anandkumar
For Respondents 1 to 3 : Mr.N.Sathish Kumar
Additional Government Pleader
For Respondent No.4 : Mr.M.Saravanan

JUDGMENT

[Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**]

This Writ Appeal has been filed challenging the order passed by this Court dated 09.02.2024 in W.M.P.(MD)No.552 of 2024 in W.P.(MD)No.526 of 2024.

2.The appellant has preferred the present appeal before this Court against an interim direction passed by this Court. The appellant has raised certain allegations against the respondents that the said initiation of the proceedings is only on *malafide* grounds and due to political enmity between the rival groups. Therefore, all these aspects has to be agitated in the aforesaid writ petition. In the meantime the appellant has also made an interim application before the learned Single Judge seeking for interim relief. By order dated 10.01.2024, the learned Single Judge has granted an interim order. Subsequently, by the present impugned order, this Court has directed the respondents to adhere to the



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order passed by this Court in W.A.(MD)Nos.2246 and 2247 of 2021 dated 28.07.2022. According to the appellant, there is a mistake in relying upon the said order and the order in W.P.(MD)No.20484 of 2023 dated 28.02.2024, states that the Division Bench has decided the said issue on the merits of the matter and left all the contentions open.

3.In the meantime, the appellant can seek for clarification before the learned Single Judge by relying upon the Writ Appeal order in W.A.(MD)Nos.2246 and 2247 of 2021 dated 28.07.2022. However, considering the above submissions, we are of the opinion that as directed by the learned Single Judge, the respondent herein shall proceed with the enquiry in accordance with law but they shall not pass any final orders since the petitioner has alleged *mala fides* as against the fourth respondent.

4.In view of the above, the order passed by the learned Single Judge is modified and we request the learned Single Judge to dispose of the writ petition at the earliest.



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5. Accordingly, this Writ Appeal stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[D.K.K.J.] & [R.V.J.]

11.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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To

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and
R.VIJAYAKUMAR, J.

MR

JUDGMENT MADE IN
W.A.(MD)No.371 of 2024

11.03.2024