



WP(MD)No.5921 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5921 of 2024

and

WMP(MD)No.5583 of 2024

V.Balasubramani

... Petitioner

Vs.

1.The District Collector, Dindigul District.

2.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

3.The Block Development Officer,
Kodaikanal Block, Dindigul District.

4.The Village Administrative Officer,
Poombarai Village, Kodaikanal Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus restraining the respondents from taking any adverse actions till the disposal of the Suit in O.S No.1/2018 pending on the file of the learned District Munsif Court, Kodaikanal based on the petitioner's representation dated 22.02.2024.



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For Petitioner : Mr.Anbumanikandan Tamilsooriyan K.

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For Respondents : Mr.T.Vilavankothai,
Additional Government Pleader

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ORDER

Heard both sides.

2.The prayer in the writ petition is that the authorities should not interfere with the petitioner's possession till the disposal of O.S No.1 of 2018 on the file of the District Munsif Court, Kodaikanal. The final relief sought for in this writ petition is in the nature of interim relief. In view of the decision reported in AIR 1952 SC 12 ([State of Orissa Vs. Madan Gopal Rungta](#)), such prayer cannot be granted. The petitioner is directed to file an I.A during the pendency of the suit. If such an I.A is filed, it shall be numbered immediately and disposed of as expeditiously as possible. The trial court can even consider in granting ex parte interim relief to the petitioner. I make it cleat that I have not gone into the merits of the matter.



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3. Granting liberty to move the trial court, this writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

15.04.2024

Index : Yes / No
Internet : Yes/ No
Skm

Note : Issue order copy on 16.04.2024

To

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2. The Tahsildar, Kodaikanal Taluk, Dindigul District.
3. The Block Development Officer, Kodaikanal Block, Dindigul District.
4. The Village Administrative Officer,
Poombarai Village, Kodaikanal Taluk,
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G.R.SWAMINATHAN, J.

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