



W.P.(MD)No.8262 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.8262 of 2021
and
W.M.P.(MD)Nos.6243 and 6244 of 2021

Karthick

... Petitioner

Vs.

1. State of Tamilnadu
through District Collector Tenkasi,
Tenkasi District.
2. Special Tahsildar,
Town Survey,
Sankarankovil,
Tenkasi.
3. District Registrar,
Tenkasi.
4. Sankarankovil Municipality,
represented by its Commissioner,
Sankarankovil.
5. K.S.K.Arumugam
6. Ariramachandra Velayutham
C/o.MDA-HSG-2, Sankarankovil,
Government Office and Public Service,
Cooperative Housing Society Ltd.,
South Car Street,
Sankarankovil,
Tenkasi District.



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7. Sub-Registrar,
Sankarankovil,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in A/141/2020 dated 11.02.2021 and to quash the same and direct the second respondent to restore the name of the petitioner in the Natham property in Ward B Block 5 T.S.No.2/1 and 2/2, Sankarankovil Town measuring 33 cents.

For Petitioner : M/s.V.Janaki Devi

For R1 to R3, R6
& R7 : M/s.K.Christy Thebora
Additional Government Pleader

For R4 : Mr.P.Mahendran

ORDER

The Writ Petition is directed against the order dated 11.02.2021 passed by the second respondent and for direction to the second respondent to restore the name of the writ petitioner in the Natham property in Ward B Block 5 T.S.No.2/1 and 2/2, Sankarankovil Town measuring 33 cents.

2. When the matter is taken up for hearing today, the learned counsel appearing for the writ petitioner would submit that they have



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filed a suit for bare injunction in O.S.No.122 of 2020 prior to the filing of the present writ petition, subsequently they have amended the plaint and claimed the additional relief of declaration.

3. The officials respondents in their counter affidavit have taken a stand that since the suit has already been filed and is pending, the writ petitioner has to work out his remedy in the suit pending civil Court.

4. The learned counsel appearing for the writ petitioner would submit that since the suit is pending, there is no need to pass any order in the present writ petition. Hence, this Writ Petition is closed. Consequently, connected Miscellaneous Petitions are closed. No costs.

02.04.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

1. The District Collector,
Tenkasi District.
2. The Special Tahsildar,
Town Survey,
Sankarankovil,
Tenkasi.



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K.MURALI SHANKAR, J

csm

3. The District Registrar,
Tenkasi.
4. The Commissioner,
Sankarankovil Municipality,
Sankarankovil.
5. The Sub-Registrar,
Sankarankovil,
Tenkasi District
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.8262 of 2021
and
W.M.P.(MD)Nos.6243 and 6244 of 2021

Dated : 02.04.2024