



W.P(MD)No.9908 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.9908 of 2024

and

W.M.P.(MD)No.8982 of 2024

S.Pandi

... Petitioner

Vs.

- 1. The District Collector
Sivagangai District,
Sivagangai.**
- 2. The Inspector General of Police,
Southern Range, Madurai.**
- 3. The Superintendent of Police
Sivagangai District,
Sivagangai.**
- 4. The Inspector of Police
Salaigramam Police Station,
Sivagangai District.**
- 5. R. Thangam**
- 6. Veeraiah**

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 2 to 4 to restrain the 5th and 6th respondents and their men from carrying out the constructional activities in the land in Survey No.



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408/1 till the outcome of the suit in O.S.No. 31 of 2020 on the file of learned District Munsif, Ilayankudi, by considering the representation of the petitioner dated 10.04.2024.

For Petitioner	: Mr.A.Karthik
For R1 to 4	: Mr.M.Sakthi Kumar Government Advocate (Crl.side)
For R5 & 6	: Mr.T.Ponramkumar

ORDER

This petition is filed to direct the respondents 2 to 4 to restrain the respondents 5 and 6 and their men from carrying out the constructional activities in the land in Survey No. 408/1 till the outcome of the suit in O.S.No. 31 of 2020 on the file of learned District Munsif, Ilayankudi, by considering the representation of the petitioner dated 10.04.2024.

2. The learned counsel for the petitioner submits that the petitioner has constructed a temple and the villagers are attempting to demolish the temple.



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3. The learned counsel for the respondents 5 and 6 submits that the petitioner, who is working as an Assistant in the office of the Commissioner of Police, Aavadi, has created a private Trust, though collected huge amount of donation for construction of temple, he constructed a temple for his own use. Therefore, a dispute arose between the villagers and the petitioner. Hence, the petitioner has filed a suit in O.S.No. 31 of 2020 on the file of learned District Munsif, Ilayankudi, and has also filed an interlocutory application, seeking injunction as against the respondents 5 and 6 in I.A.No.8 of 2023 and the same was dismissed on 21.02.2024.

4. This Court considered the rival submissions made.

5. The petitioner has filed an application in I.A.No.8 of 2023 before the learned District Munsif, Ilayankudi, seeking injunction against the respondents 5 and 6 and the same was dismissed on 21.02.2024. If the petitioner is having any case, he can work out his remedy as against the dismissal order.



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6. In view of the same, this Court is not inclined to entertain this Petition. Hence, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No
Internet: Yes/No
NCC : Yes/No
LS

24.04.2024

To

1. The District Collector
Sivagangai District,
Sivangangai.
2. The Inspector General of Police,
Southern Range,
Madurai.
3. The Superintendent of Police
Sivagangai District,
Sivangangai.



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- 4.The Inspector of Police
Salaigramam Police Station,
Sivagangai District.

- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J

LS

Order made in
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24.04.2024