



W.P.(MD).No.12776 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.12776 of 2023

and

W.M.P.(MD).Nos.10780, 10781 & 10783 of 2023

Ganesan

...Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Additional Superintendent of Police,
Pudukkottai District, Pudukkottai.

3.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.

4.The Tahsildar,
Aranthangi Taluk,
Aranthangi,
Pudukkottai District.

5.Sariyalammai

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to impugned proceedings of the second respondent in Na.Ka.No.L-2/45418/ 343/2022 dated 12.11.2022 quash the same and consequently direct the respondents to remove the fencing made in



W.P.(MD).No.12776 of 2023

Survey Nos. 36/7B, 36/7C1, 36/7C2, 36/7C3 situated at Kayakadu Village, Aranthangi Taluk, Pudukkottai District under the strength of Impugned order.

For Petitioner : Mr.R.Prasanna

For R-1 to R-4 : Mr.A.Albert James,
Government Advocate
(Criminal Side)

For R-5 : Mr.M.Suresh

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the second respondent dated 12.11.2022 and for a consequential direction to the respondents to remove the fencing that has been put up around the subject property.

2. When the matter was taken up for hearing today, it was brought to the notice of this Court that the fifth respondent had filed a suit against the petitioner and his wife in O.S.No.41 of 2009 before the learned District Munsif, Aranthangi, seeking for the relief of permanent injunction. The suit was decreed by the judgment and decree dated 04.12.2017. The appeal filed by the petitioner was also dismissed and the decree passed by the trial Court was confirmed. Thereafter, a Second



W.P.(MD).No.12776 of 2023

Appeal has been filed by the petitioner and the same is now pending in S.A.(MD).No.233 of 2020 before this Court.

3. In the light of the above development, no further orders can be passed in this Writ Petition and accordingly, the same stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

08.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Additional Superintendent of Police,
Pudukkottai District, Pudukkottai.

3. The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.

4. The Tahsildar,
Aranthangi Taluk,
Aranthangi,
Pudukkottai District.

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



WEB COPY



W.P.(MD).No.12776 of 2023

N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.12776 of 2023**

**Dated :
08.11.2024**