



W.P.(MD)No.26513 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.26513 of 2024

and

W.P.(MD)No.22478 of 2024

K.Nagarajan

... Petitioner

/Vs./

1.The Principal Secretary to Government,
Revenue and Disaster Management Department,
S T George Fort,
Chepauk, Chennai.

2.The Additional Chief Secretary,
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration,
Ezhilagam,
Chepauk, Chennai - 600 005.

3.Valarmathi

4.Kanmani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus forbearing the respondents 3 and 4 herein



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from interfering in any manner in the civil dispute between the petitioner and his brother, Mr.K.Chinnasamy, which is the subject matter pertaining to O.S.No. 83 of 2020 pending before the Fast Track Mahila Court, Sivagangai, and consequently directing the respondents 1 and 2 herein to conduct enquiry and take suitable action against the respondents 3 and 4 herein within a time stipulated by this Court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.D.Gandhiraj (R1 & R2)

Special Government Pleader

ORDER

This writ petition has been filed to forbear the respondents 3 and 4 herein from interfering in any manner in the civil dispute between the petitioner and his brother, Mr.K.Chinnasamy, in respect of the subject property.

2. Considering the nature of the limited scope of the relief sought for in this writ petition, notice to the private respondents is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. There is a dispute between the petitioner and his brother in respect of their ancestral property. The petitioner's brother, namely, K.Chinnasamy, filed a suit in O.S.No.83 of 2020 seeking for partition before the Fast Track Mahila Court, Sivagangai, in respect of the disputed property. While this being so, the respondents 3 and 4 being the relatives of the petitioner's deceased wife, by utilizing their official power, interfered with the dispute between the petitioner and his brother.

5. Considering the facts and circumstances of this case, there shall be a direction to the respondents 3 and 4 not to interfere with the civil dispute pending between the petitioner and his brother, namely, K.Chinnasamy, in any manner. At the same time, if the petitioner indulges in any other illegal activities, the official respondents are at liberty to take appropriate action as against the petitioner.



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6. With the above direction, the Writ Petition stands disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

NCC : Yes / No

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G.K.ILANTHIRAIYAN, J.

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Order made in
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06.11.2024