



W.P.(MD).No.27588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.27588 of 2024
and
W.M.P.(MD).Nos.23411, 23412 and 23413 of 2024

Ayammal

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Melur,
Madurai District.
- 3.The Tahsildar,
Madurai East Taluk,
Madurai District.
- 4.The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.
- 5.M.Ananthan
- 6.Jegan
- 7.Elangovan



W.P.(MD).No.27588 of 2024

8.Sengutavan

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating with the impugned order dated 22.10.2024 in Na.Ka.No.6687/2024/A4 on the file of the second respondent and quash the same as illegal and consequently directing the respondents 1 to 4 to permit the petitioner to complete the construction work as per the work order on the scheme of “Kalaingar Dream House”.

For Petitioner : Mr.S.Saravana Kumar
For R-1 to R-3 : Mr.S.Shaji Bino
Special Government Pleader
For R-4 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
For R-5 to R-8 : Mr.R.Gowrishankar

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present Writ Petition is filed challenging the impugned order on the file of the second respondent dated 22.10.2024 and consequently directing



W.P.(MD).No.27588 of 2024

the respondents 1 to 4 to permit the petitioner to complete the construction work as per the work order on the scheme of “Kalaingar Dream House”.

3. On the allegation that the petitioner is putting up a construction over the property in Survey No.175/1, Mathur Village, Madurai East Taluk, Madurai District, which is the subject matter of O.S.No.157/2024 pending before the District Munsif Court, Melur, the second respondent herein has passed the impugned order dated 22.10.2024, forbearing the petitioner from putting up any construction in the subject property.

4. When admittedly, a suit for bare injunction touching upon the property in Survey No.175/1, is pending and the petitioner as well as the fifth respondent herein are parties to the same, we do not find any infirmity in the impugned order, which forbears the petitioner to put up any construction over the suit property. Even otherwise, since the petitioner always has a remedy to redress her grievance in the suit, this Court will not venture to interfere with the order passed by the second respondent herein. Thus, the petitioner is granted liberty to work out her remedies before the civil forum where the suit is pending.



W.P.(MD).No.27588 of 2024

5. With the above liberty, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R.,J.) (A.D.M.C.,J.)
19.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur,
Madurai District.

3.The Tahsildar,
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4.The Inspector of Police,
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W.P.(MD).No.27588 of 2024

M.S.RAMESH,J.
and
A.D.MARIA CLETE,J.

Lm

W.P.(MD).No.27588 of 2024

19.11.2024