



Writ Petition No. 27659 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No. 27659 of 2025

and

W.M.P.No.30988 of 2025

R.K.Shankar
S/o.Kathirasan

Petitioner

Vs

- 1.The Commissioner,
HR & CE Department,
Chennai.
- 2.The Joint Commissioner,
HR & CE., Nagapattinam.
- 3.The Assistant Commissioner,
HR & CE., Thiruvavur.
- 4.The Executive Officer,
Arulmigu Renugadevi Amman Thirukoil,
Vijaypuram,
Thiruvavur Town and District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned eviction notice dated 15.07.2025 in Na.Ka.No.3545-5/2025 E1 issued by the third respondent and quash the same and direct the respondents not to proceed any action till the disposal



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of the civil suit filed in O.S.No.105 of 2024 on the file of the learned District Munsif, Thiruvarur.

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For Petitioner : Mr.Bhagawath Krishna

For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

This writ petition has been filed challenging the impugned eviction notice dated 15.07.2025 issued by the third respondent and directing the respondents not to proceed further to take any action till the suit pending in O.S.No.105 of 2024 on the file of District Munsif, Thiruvarur, is disposed of.

2. Heard Mr.Bhagawath Krishna, learned counsel for petitioner and Mr.K.Karthikeyan, learned Government Advocate appearing for respondents.

3. In the considered view of this Court, it is now too well settled that where the substantive suit is pending before the competent Court, a writ Court cannot be approached for the sake of getting an interim order. If at all any steps are taken to evict the petitioner, the



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petitioner must only knock the doors of the civil Court where the suit is pending and seek for interim order. Admittedly, an injunction application has already been filed by the petitioner and the same is pending before the civil Court. While so, this Court will not permit the petitioner to file a writ petition only for the purpose of getting interim order. Hence, liberty is granted to the petitioner to move the civil Court and seek for interim order.

This writ petition is disposed of in the above terms. No costs.
Consequently, connected miscellaneous petition is closed.

24.07.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



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N.ANAND VENKATESH, J

gm

To

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