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WP No. 44935 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 44935 of 2025

and

W.M.P.No.50119 of 2025

1.K.L. Joghee
S/o. Kutta Linga Gowder,
Door Number 9/40, Nanjanadu Village,
Udhagamandalam Taluk,
Nillagiri District.

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of Social Welfare and
Nutritious Meal Programme,
Fort St. George, Chennai-600 009.
- 2.The District Collector of Nilagiri
District,
Udhagamandalam, Nilgiris District.
- 3.The Revenue Divisional Office
Udhagamandalam, Nilgiris District.
- 4.The Tahsildar
Udhagamandalam, Nilgiris District.
- 5.The Block Development Officer
Udhagamandalam Panchayat Union,
Udhagamandalam, 643001,
Nilgiris District.



6.The Secretary,
Najanadu Village Pachayat Board,
Nanjanadu Post, Nilagiri District-643
004.

7.Bheeman,
Son of Bola Nanjan,
11/138, Ammanatty Road, Nanjanadu
Post, Nilagiri District-643 004

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 3,4, 5 and 6 to conduct an enquiry and consequently take such action against the Respondent Number 7 herein pursuant to the Proceedings of the 3rd respondent, the Revenue Divisional Officer, Udthagamandalam Taluk in proceedings in Na.Ka.A3/571/2025 dated 11.07.2025 and grant such other further relief as may be deemed fit and proper by this Hon'ble Court in the facts and circumstances of the case, award costs.

For Petitioner(s): Mr.P.V. Ravi Chandran

For Respondent: Mr.M.Shajahan
Special Government Pleader
(For R1 to R6)

ORDER

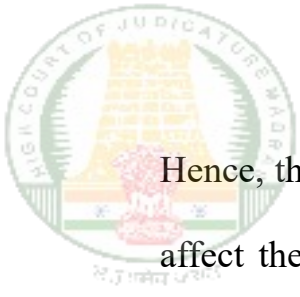
The petitioner claims to be in possession and enjoyment of the property situated in Survey No.578/1, New T.S.No.498 of Nanjanadu Village, Udthagamandalam, The Nilgiris. He alleges that the 7th respondent is attempting to put up an unauthorised construction over the property. The petitioner has



already filed a suit in O.S.No.113/2025, seeking a declaration that he is the owner of four cents in the aforesaid property and for permanent injunction restraining the 7th respondent from interfering with the possession and enjoyment. Prior to the suit, one Nanjappan, had also presented a suit in O.S.No.89 of 2020 against the 7th respondent. That was a suit for recovery of possession and for mandatory injunction. Due to the death of the plaintiff, Nanjappan, the suit came to be dismissed for default.

2. The petitioner moved the Revenue Divisional Officer, Udhagamandalam, against the unauthorised construction by the 7th respondent, who passed an order on 11.07.2025. The petitioner sought for the fourth respondent to pass a consequential order in terms of the order passed by the Revenue Divisional Officer, Udhagamandalam. I should point out here that, after the order was passed by the Revenue Divisional Officer on 11.07.2025, the petitioner has moved the Civil Court on 08.09.2025. When the matter is seized by the Civil Court, and that too, at the instance of the petitioner, if I were to give the petitioner what he wants, then it will be as if the executive authorities will deal with the issues, which is currently seized of by the Civil Court.

3. In my view, initiation of simultaneous proceedings, that too by a Revenue authority, when the matter is pending before the Civil Court, might not be in the interest of justice, or in fact, in the interest of the petitioner himself.



Hence, the writ petition is dismissed. The dismissal of this writ petition will not affect the right of the petitioner to move and obtain appropriate orders in the application pending for injunction in O.S.No.113/2025 on the file of the Subordinate Judge at Udthagamandalam.

4. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

25-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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By Its Secretary
Department Of Social Welfare And
Nutritious Meal Programme, Fort St.
George, Chennai-600 009

2.The District Collector Of Nilagiri
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Udhagamandalam, Nilgiris District.

3.The Revenue Divisional Office
Udhagamandalam, Nilgiris District.

4.The Tahsildar
Udhagamandalam, Nilgiris District.

5.The Block Development Officer



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Udhagamandalam Panchayat Union,
Udhagamandalam, 643001 , Nilgiris
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V.LAKSHMINARAYANAN, J.

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