



W.P.(MD)No.3596 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3596 of 2025

M.Selvam

... Petitioner

/Vs./

1. The District Collector
Collector Office Campus,
Theni District.
2. The Block Divisional Officer
K.Myladumbarai Panjayat Union,
Aundipatti Taluk, Theni District.
3. The Revenue Inspector
Aundipatti, Theni District.
4. The Tahsildar
Andipatti Taluk,
Theni District.
5. The Village Administrative Officer,
Myladumparai Village,
Andipatti Taluk, Theni District.
6. The Inspector
Myladumparai Police Station,
Aundipatti, Theni District.



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7. Amutha.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take necessary action against the respondents 2 to 7 as the Petitioner prayed in his petition dated 28.01.2024 and allow the Petitioner and his family to continue the farming in their land bearing Survey No. 1062/2 1062/3 of Myladumparai village Theni District till the disposal of the Civil Suit pending before the District Munsif Aundipatti in O.S. 35/2024.

For Petitioner : No appearance

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader for R1,3-5

: Mr.S.Prakash
Government Advocate for R6

: Mr.D.Gandhi Raj
Special Government Pleader for R2

ORDER

The petitioner has filed the present Writ Petition, seeking a Writ of Mandamus, to direct the first respondent to take necessary action against the respondents 2 to 7 on its petition dated 28.01.2024 and permit the petitioner to continue the farming in their land bearing Survey Nos.



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1062/2 and 1062/3 of Myladumparai village, Theni District, till the disposal of the Civil Suit in O.S.No.35 of 2024, pending before the District Munsif, Aundipatti.

2. There is no representation on the side of the petitioner. I have heard the learned Government Counsel for the official respondents.

3. Admittedly the petitioner has filed a suit in O.S.No.35 of 2024 seeking a permanent injunction against the seventh respondent and the said suit is pending. I am unable to comprehend as to how such a relief, as sought for in the present writ petition, can be granted, especially, pending a civil suit, which has been initiated by the petitioner himself, evidencing the fact that there is a dispute between the petitioner and the seventh respondent. Having filed a suit for permanent injunction to restrain the seventh respondent from interfering with the petitioner's right to farm in the subject survey land and having not succeeded in obtaining any interim order in the suit, the present writ petition appears to have been filed to indirectly seek the very same interim relief that has been declined in the Civil suit.



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4. I do not see any justifiable grounds to come to the rescue of the petitioner, by issuing any directions as sought for the in the writ petition. There is no merit in this writ petition. Hence, this Writ Petition is dismissed. No costs.

Index : Yes / No

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NCC : Yes / No

LS

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5. The Village Administrative Officer,
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P.B. BALAJI, J.

LS

Order made in
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