



W.P(MD)No.4027 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.4027 of 2022

and

W.M.P(MD)No.3453 of 2022

1.C.Krishnaperumal
2.R.Sudhakar

... Petitioners

Vs

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Project Director,
District Rural Development Agency,
Collectors Office,
Nagercoil – 1.
- 3.The Executive Engineer,
PWD (Buildings Division),
Nagercoil – 1.
- 4.The Assistant Execution Engineer,
PWD (Buildings Division),
Nagercoil – 1.
- 5.The Sub Registrar,
Rajakkamangalam Sub Registrar's Office,
Ganapathipuram,
Kanyakumari District.
- 6.Palavesakarar Swamy Temple,
Represented by its President,
Keezha Tharavillai,
Pazhavilai Post,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the fifth respondent from registering any document in favour of his excellency the Governor of Tamil Nadu pertaining to Re.Sy.No.169/9 of Neendakarai 'A' (West) Village of Agastheeswaram Taluk, Kanyakumari District of their property in order to implement the work cited in serial No.7 of the proceedings of the second respondent in Na.Ka.No.A3/5505/2019 dated 04.02.2022.

For Petitioners : Mr.S.Pillai Monicantan
For RR 1 to 5 : Mr.D.Gandhi Raj
Special Government Pleader
For R – 6 : Mr.S.Ramakrishnan

ORDER

This Writ Petition has been filed by the petitioners forbearing the fifth respondent from registering any document in favour of his excellency the Governor of Tamil Nadu pertaining to Re.Sy.No.169/9 of Neendakarai 'A' (West) Village of Agastheeswaram Taluk, Kanyakumari District of their property in order to implement the work cited in serial No.7 of the proceedings of the second respondent dated 04.02.2022.



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

3. On perusal of the materials available on record would reveal that for the very same relief, one Natarajan filed a suit in O.S.No.366 of 2011 on the file of the I Additional District Munsif Court, Nagercoil in which the petitioners were also impleaded as defendants in the said suit. Therefore, the petitioners cannot maintain two proceedings for the same relief. In view of the above, this Writ Petition is closed. The petitioners are at liberty to work out their remedy before the civil Court in O.S.No.366 of 2011 on the file of the I Additional District Munsif Court, Nagercoil. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**08.01.2025
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The District Collector,
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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.4027 of 2022

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(1/2)