



W.P(MD)No.30779 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30779 of 2025

Suganthi

... Petitioner

Vs.

1.The State represented by
The Principal Secretary to
Government,
Revenue Department,
Fort St.George,
Chennai – 9.

2.The District Collector,
Office of the District Collector,
Tirunelveli District.

3.The Tahsildar,
Office of the Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

4.Kumaravel

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the first



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respondent to take appropriate action against the Respondent No.2 for not executing the distraint warrant issued by the learned Chief Judicial Magistrate, Tirunelveli even after sending 4 reminder notice in accordance with law within the time stipulated by this Court.

For Petitioner : Dr.R.Alagumani
For Respondents : Mr.M.Gangatharan
Government Advocate
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents.

2.The writ petitioner is the wife of the fourth respondent. The petitioner filed M.C.No.2 of 2017 before the Chief Judicial Magistrate, Tirunelveli and a maintenance order was also passed. To execute the same, the petitioner filed Cr.M.P.No.784 of 2018. The fourth respondent neither appealed nor complied with the maintenance order. Hence, the trial Court issued restraint warrant.



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3.The grievance of the petitioner is that the restraint order was not executed by the second respondent and therefore the Government should initiate action against the second respondent. The very prayer is misconceived. The petitioner's objection should be to get the restraint order enforced. Instead of doing so, the petitioner wants to put pressure on the second respondent by filing this writ petition. Such writ petitions cannot be entertained.

4.This Writ Petition stands dismissed. No costs.

30.10.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Principal Secretary to
Government,
Revenue Department,
Fort St.George,
Chennai – 9.

2.The District Collector,
Office of the District Collector,
Tirunelveli District.

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3.The Tahsildar,
Office of the Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

Copy to

The Chief Judicial Magistrate,
Tirunelveli.

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