



W.P(MD) No.14662 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 23.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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S.Gopal

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thamaraikulam,
Periyakulam, Theni District.

3.The Tahsildar,
Andipatti Taluk,
Theni District.

4.The Executive Officer,
Selection Grade Town Panchayat,
Andipatti,
Theni District.

5.Sakthivel

6.Subburaj

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents 2 to 4 to restore the drainage running in the Highway poromboke under Survey No.1793/1 and 1794/2B, at Kondamayanakkanpatti Village, Ward No.7, Thimmarasanayakkanur II Bit, Andipatti Town Panchayat, Theni District, damaged by the Respondents 5 and 6, which disconnects the public pathway connecting Ward No.7 residents to Theni Main Road.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R1 to R3

: Mr.Mohammed Zammil
for R5 & R6

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner alleges that the private respondents have blocked the petition mentioned canal. The jurisdictional Tahsildar had submitted a report to the effect that the private respondents have only put up a



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concrete bridge and that the free flow of water has not been obstructed.

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3. The learned counsel appearing for the private respondents draws our attention to the order dated 11.11.2024 made in W.P(MD)No. 26758 of 2024. It is seen that the petitioner herein had filed the subsequent writ petition through another counsel more or less seeking the very same relief now sought for in this writ petition. Once a writ petition has been filed and it is pending, the writ petitioner has to await its disposal. He cannot file another writ petition for the same relief by couching the prayer differently. Such conduct has to be deprecated.

4. In view of the stand taken by the authority as well as the conduct of the writ petitioner herein, we are inclined to dismiss the writ petition. This Writ Petition is accordingly dismissed. No costs.

(G.R.S., J.) (R.P., J.)
23.03.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

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