



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **V.S.RAVI**

W.P. (MD) No.14987 of 2015

S.Manickam

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Sri Rengam,
Trichy District.

2.The Thasildar,
Marungapuri Taluk,
Trichy District.

3.The Assistant Divisional Engineer,
Construction and Maintenance (Highways),
Manapparai,
Trichy District.

4.Vellaisamy @ Manickam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to strictly implement the G.O.Ms.No.540, dated 04.12.2014 issued by the Revenue (LD 6(2) Department and consequently to direct the 2nd and 3rd respondents to implement the order passed by the 1st respondent order dated 09.07.2015 in O.Mu.A3/1849/2015 in accordance with law.

For Petitioner

: Mr.J.John

For respondents

: Mr.A.K.Baskarapandian

Special Government Pleader
for RR 1 to 3

No appearance for R4.

ORDER

[Order of the Court was made by **S.NAGAMUTHU, J**]

The petitioner has come up with this Public Interest Litigation, seeking a direction to the respondents 1 to 3, to strictly implement G.O.Ms.No.540 dated 04.12.2014 issued by the Revenue (LD 6(2) Department and to remove the encroachments caused by the fourth respondent on the road by the side of the business complex.



2. We have heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the records carefully.

3. A perusal of the affidavit would go to show that the petitioner is owning a shopping complex. The fourth respondent has got his own property by the side of the same. It appears that, according to the petitioner, the fourth respondent has made some encroachment on public highways road. This encroachment, the petitioner wants to remove by getting an order, by treating this as a Public Interest Litigation.

4. In our considered view, if the petitioner has got any grievance, since the dispute is civil in nature, he can work out his remedy before the civil Court. There is no public interest involved in this matter. The petitioner under the guise of Public Interest Litigation, trying to settle his personal score with the fourth respondent. Therefore, we are not inclined to entertain this writ petition.

5. In the result, the writ petition fails and the same is accordingly, dismissed. Consequently, connected Miscellaneous Petition is closed. No Costs.

Sd/-

Assistant Registrar (crl.Side)

/True Copy/

Sub Assistant Registrar

PJL/RR
To

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Sri Rengam,
Trichy District.

2. The Thasildar, Marungapuri Taluk,
Trichy District.

3. The Assistant Divisional Engineer,
Construction and Maintenance (Highways),
Manapparai, Trichy District.

+1CC to J. John Advocate Sr.no.47888
+1CC to Spl. Government Pleader Sr.No.46540

GJM/SKS/SARJ-10.9.15-2P-6C

ORDER MADE IN
W.P. (MD) No.14987 of 2015
20.08.2015