



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2015

C O R A M

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.3987 of 2014

and

M.P(MD)No.1 of 2014

M.A.M.Ramasamy
S/o.Raja Sir M.A.Muthiah Chettiar
Represented by its power agent
A.Subramaniam,
S/o.A.K.Annamalai Chettiar,
No.B2, Ranimeiyammai Quarters,
Chettinad Cement Corporation Limited,
Puliyur, Karur District. ... Petitioner

Vs.

1.The Commissioner,
Karur Municipality,
Karur.

2.The Tahsildar,
Karur Municipality,
Karur.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the first respondent from forming paver block road in the petitioner property comprised in survey Nos.T.S.No.2932, 2963 to 2973, 2928/1 and 2928/5 ward 1 of Karur Municipality.

For petitioner ...Mr.R.Murali
For R1 ...Mr.K.Balasubramani
For R2 ...Mr.V.Muruganandam

Addl. Govt. Pleader

O R D E R

The writ petition has been filed for a writ of mandamus, forbearing the first respondent from forming paver block road in the petitioner's property comprised in survey Nos.T.S.No.2932, 2963 to 2973, 2928/1 and 2928/5 ward 1 of Karur Municipality.

2.According to the petitioner, there is a road in Sannathi Street. The first respondent is in the guise of, renovating the said road trying to lay the paver block road in his patta land. He has given a representation to the second respondent to survey the land. The second respondent did not survey the land. In the circumstances, the petitioner has come out with the present writ petition for a relief of forbearing the respondents from forming Paver Block road in his land.

3.The petitioner is claiming ownership of the property in question. This can be decided only by Civil Court. The petitioner is not entitled to relief as claimed in the writ petition. Appropriate remedy available to the petitioner is to approach concerned Civil Court having jurisdiction.



4. For the above reasons, the writ petition is dismissed. No cost. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
The Assistant Registrar (AE)

/True copy/

Sub-Assistant Registrar

To

1. The Commissioner,
Karur Municipality,
Karur.

2. The Tahsildar,
Karur Municipality,
Karur.

+1cc to Mr. M. Suresh Kumar, Advocate SR.No.55615

+1cc to the special Government Pleader SR.No.55449

JAM:SKS:08.10.2015:2P/5c

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