

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.20134 of 2015

and

M.P. No.1 of 2015

Anaimedu Anaithu Makkal Kudiiruppor Nalasangam,
rep by its President L.Joel Richard,
No.109, Anaaimedu,
Royapuram,
Tiruppur-641 601.Petitioner

Vs.

- 1.The Collector of Tiruppur,
O/o. The Collector of Tiruppur,
Tiruppur District.
- 2.The Revenue Divisional Officer,
Tiruppur District.
- 3.The Tahsildar (North),
Tiruppur District.Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the respondents to issue patta and other basic amenities by considering the petitioner Sangam's representation dated 29.06.2015.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr. P.Karthikeyan,
Govt.Advocate

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ORDER

This writ petition has been filed by the petitioner Sangam, praying that this Court may be pleased to issue a Writ of Mandamus directing the respondents to issue patta, in the name of the petitioner Sangam, by considering its representation, dated 29.06.2015.

2 The petitioner has claimed that one N.Muthusamy and certain others had grabbed the residential lands, belonging to the petitioner Sangam. It is also stated that the said N.Muthusamy and others have no rights in the lands situated in S.No.135/1A, in Anaimeedu Thotipalayam, Tiruppur and therefore, their occupation of the lands, belonging to the petitioner Sangam, is wrongful in nature. In such circumstances, the petitioner Sangam has filed the present writ petition before this Court.

3 In view of the submissions made by the learned counsel, appearing on behalf of the petitioner and in view of the averments made in the affidavit filed in support of the writ petition, it is clear that the matter relates to a civil dispute, with regard to the lands in question. In such circumstances, it is for the petitioner to seek its remedies, if any, before the appropriate civil forum, to establish its rights, with regard to the lands in question. Further, N.Muthusamy, who is said to have encroached upon the lands said to be belonging to the petitioner Sangam, has not been made as a party to the writ petition. In such circumstances, this court is of the considered view that the relief prayed for by the writ petitioner in the present writ petition cannot be granted. However, it goes without saying that it may be open to the petitioner Sangam to approach the appropriate civil forum to establish its rights, if any, with regard to the lands in question.

4 As such, the writ petition stands dismissed with the above observation. No costs. Consequently, the miscellaneous petition, in M.P.No.1 of 2015 in W.P.No.20134 of 2015, is also dismissed.

vvk

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Collector of Tiruppur,
O/o. The Collector of Tiruppur,
Tiruppur District.

2.The Revenue Divisional Officer,
Tiruppur District.

3.The Tahsildar (North),
Tiruppur District.

+ 1 cc to Mr.S.Saravanan, Advocate Sr 34276
+ 1 cc to The Govt.Pleader, Sr 34713

KR/4/7/16

W.P.No.20134 of 2015



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