



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2016

CORAM:

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU  
AND  
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

W.P.[MD].No.23014 of 2015

K.Chandran

.. Petitioner

Vs.

1. The District Collector,  
Virudhunagar District,  
Virudhunagar.
2. The Revenue Divisional Officer,  
Arupukkottai Division,  
Virudhunagar District.
3. The Tahsildar,  
Kariyapatti Taluk,  
Virudhunagar District.
4. The Block Development Officer,  
Kariyapatti Taluk,  
Virudhunagar District.
5. The Revenue Inspector,  
Kariyapatti Taluk,  
Virudhunagar District.
6. The President,  
Arasakulam Panchayat,  
Kariyapatti Taluk,  
Virudhunagar District.

7. Muthu

.. Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to remove the encroachments in S.No.197/27, situated at Arasakulam, Kurandi Post, Kariyapatti Taluk, Virudhunagar District, by implementing the order of the 2<sup>nd</sup> respondent, dated 30.09.2015, in his proceedings in Na.Ka.No.A5/8583/2015, within a time frame.



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For Petitioner : Mr.P.Prabu Ramachandran  
For respondents : Mr.T.R.Janarthanam,  
1 to 5 Addl. Government Pleader  
For 6<sup>th</sup> respondent : No appearance  
For 7<sup>th</sup> respondent : Mr.G.Thiruvavutselvan

**O R D E R**

**[Order of the Court was made by M.V.MURALIDARAN, J.]**

The petitioner has come up with this Writ Petition seeking a direction to the respondents to remove the encroachments in S.No.197/27, situated at Arasakulam, Kurandi Post, Kariyapatti Taluk, Virudhunagar District, by implementing the order of the 2<sup>nd</sup> respondent dated 30.09.2015, in his proceedings in Na.Ka.No.A5/8583/2015.

2.We have heard the learned counsel appearing on either side. We have also perused the records carefully.

3.The learned counsel appearing for the 7<sup>th</sup> respondent would submit that he has already filed a civil suit in O.S.No.257 of 2015 on the file of the learned District Munsif, Aruppukottai for permanent injunction alleging that he has got title for the property in question. It is also brought to our notice that in I.A.No.1205 of 2015, the trial Court has also issued an interim order directing the parties to maintain status quo.

4. In our considered view, the dispute is civil in nature. When there is a dispute regarding title, we cannot solve the same in this writ petition. The remedy for the petitioner lies before the Civil Court. This Writ Petition is, accordingly, dismissed with liberty to the petitioner to work out his remedy before the appropriate civil forum. No costs.

Sd/  
Assistant Registrar(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector,  
Virudhunagar District, Virudhunagar.
2. The District Revenue Divisional Officer,  
Arupukkottai Division, Virudhunagar District.



3. The Tahsildar,  
Kariyapatti Taluk, Virudhunagar District.

4. The Block Development Officer,  
Kariyapatti Taluk, Virudhunagar District.

5. The Revenue Inspector,  
Kariyapatti Taluk, Virudhunagar District.

6. The President,  
Arasakulam Panchayat, Kariyapatti Taluk,  
Virudhunagar District.

+1cc to Special Government Pleader in SR.No.71424.

+1cc to M/s.G.Thiruvavutselvan, Advocate, in SR No.71039.

+1cc to M/s.R.Prabhu Ramachandran, Advocate, in SR No.70975.

Order made in  
W.P.[MD].No.23014 of 2015  
21.11.2016

gcg  
msm/gsv/14.12.16/p3/10c