



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P (MD) No.13215 of 2016

and

W.M.P (MD) No.9957 of 2016

T.Thandayuthapani

.. Petitioner

Vs.

1.The District Collector,
District Collectorate Campus,
Trichy.

2.The Corporation of Trichy rep. by its
Commissioner,
Trichy Corporation,
Trichy.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Trichy

4.The Tahsildar,
Trichy West Taluk,
Trichy.

5.Celin Joseph

6.Posco Arockiaraj

.. 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 4 to evict the encroachment put up by the respondents 5 and 6 in the cart track leading to Rettalamalai Sri Ondikaruppasamy Temple, Trichy situated in Edamalaipattipudur to Rettamalai Sri Ondikaruppasamy Temple public pathway and consequently directing the respondents 1 to 4 to implement the Resolutions of the Peace Committee Meeting dated 16.07.2015 within the time framed as fixed by this Court.

For Petitioner

: Mr.S.Karthick Subramanian
(No appearance)

For Respondents 1 to 4 : Mr.Aayiram K.Selvakumar,
Government Advocate.

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents 5 and 6: Mr.B.Saravanan



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 4 to evict the alleged encroachment put up by the respondents 5 and 6 in the cart track leading to Rettalamalai Sri Ondikaruppasamy Temple, Trichy situated in Edamalaipattipudur to Rettamalai Sri Ondikaruppasamy Temple public pathway and consequently to direct the respondents 1 to 4 to implement the Resolutions of the Peace Committee Meeting held on 16.07.2015.

2. When this petition was taken up today, there is no representation for the petitioner. We have heard the learned Government Advocate, appearing for the respondents 1 to 4 and the learned counsel appearing for the respondents 5 and 6.

3. The learned counsel appearing for the respondents 5 and 6 submitted that the land is a private patta land of the respondents 5 and 6.

4. The learned Government Advocate also submitted that it is a patta land of the respondents 5 and 6. But in order to bring peace in the Village, Peace Committee Meetings were held and though some consensus was arrived at, the petitioner has not accepted the same.

5. From these averments, We find that it appears to be a private litigation. At any rate, there is a dispute regarding title and rights and it is for the Civil Court to decide about the same. The parties are always at liberty to work out the remedy before the Civil Court.

6. In view of the same, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

sd/-

Assistant Registrar(Co)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector's Office,
Trichy.



2.The Commissioner,
Trichy Corporation,
Trichy.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Trichy

4.The Tahsildar,
Trichy West Taluk,
Trichy.

+1cc to Mr.B.Saravanan, Advocate SR.No.55334

+1cc to Mr.S.Karthick Subramanian, Advocate SR.No.55451

+1cc to special Government Pleader SR.No.55184

smn

sm:AA1-MPA:SAR III:3P/8c

ORDER MADE IN
W.P (MD) No.13215 of 2016
and
W.M.P (MD) No.9957 of 2016
22.09.2016