

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2017

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.8382 of 2012

B.Elumalai

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District.

2.The Commissioner of Police,
Chennai City,
Egmore, Chennai.

3.J.Sudhakar Rao

... Respondents

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, to direct the respondent herein to take appropriate action against the third respondent based on my representation/complaint dated 26.03.2012.

For Petitioner : Mr.B.Manoharan

For Respondents: Mr.R.S.Selvam,

Government Advocate for RR1 & 2

: Mr.A.Ramu for R3

O R D E R

Heard Mr.B.Manoharan, learned counsel appearing for the petitioner and Mr.R.S.Selvam, learned Government Advocate appearing for the first and second respondents and Mr.A.Ramu, learned counsel appearing for the third respondent.

2. The prayer sought for in this writ petition is as follows:-

"To issue a Writ of Mandamus, to direct the respondent herein to take appropriate action against the third respondent based on the petitioner's representation/complaint dated 26.03.2012."

3. The case of the petitioner is as follows:-

The third respondent has filed counter affidavit stating that he is the owner of the land in question. Since there is a dispute of fact between the rival claims of the petitioner as well as the third respondent, this Court exercising its jurisdiction under Article 226

of the Constitution of India cannot get into the factual controversies of the parties concerned.

4. In view of the same, the writ petition is liable to be rejected as not maintainable. However, it is open to the petitioner to invoke appropriate jurisdiction for redressing his grievances as it deems fit.

5. With the above observation, the writ petition is closed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

gsk

To

1.The District Collector,
Thiruvallur District.

2.The Commissioner of Police,
Chennai City,
Egmore, Chennai.

+1 CC to Mr.A.Ramu, Advocate SR.No.74914

+1 CC to The Government Pleader SR.No.75303

CO-SR

ths : 21.11.2017

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