

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.2688 of 2017

1.Edwin Rajesh

2.Catherine Matilda

... Petitioners

Vs.

1. The Collector of Krishnagiri
Krishnagiri.

2. The Revenue Divisional Officer
Hosur, Krishnagiri District.

3. The Tahsildar
Hosur, Krishnagiri District.

4. The Municipal Commissioner
Hosur, Krishnagiri District.

5. The Executive Engineer
Tamil Nadu Electricity Board
Hosur, Krishnagiri District.

6. B.K.Prabakar
Maruthi Green Builders
Chennathur, Hosur Taluk
Krishnagiri District.

7. P.Vijay Gowtham

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing respondents 1 to 4 to take immediate steps to remove the unauthorized construction committed by respondents 6 and 7 in Plot No.4 measuring to an extent of 2022.5 Square Feet comprised in Survey No.649/2C, Chennathur Village, Krishnagiri District.

For Petitioners

: Mr.R.Narayanan
for M/s.M.V.Krishnan

For Respondents

: Mr.T.N.Rajagopalan
Special Government Pleader
for respondents 1 to 5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The dispute pertains to the property of the petitioners which, according to the petitioners, has been trespassed by private respondents 6 and 7. It is the case of the petitioners that they obtained a fraudulent sale deed, which has since been cancelled.

2. In all this, there is no role of the Government. We are of the view that in this private dispute between two parties, the remedy is really only in civil proceedings and not through this writ petition.

The petition is dismissed with the aforesaid liberty. No costs. Consequently, W.M.P.No.2636 of 2017 is closed.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

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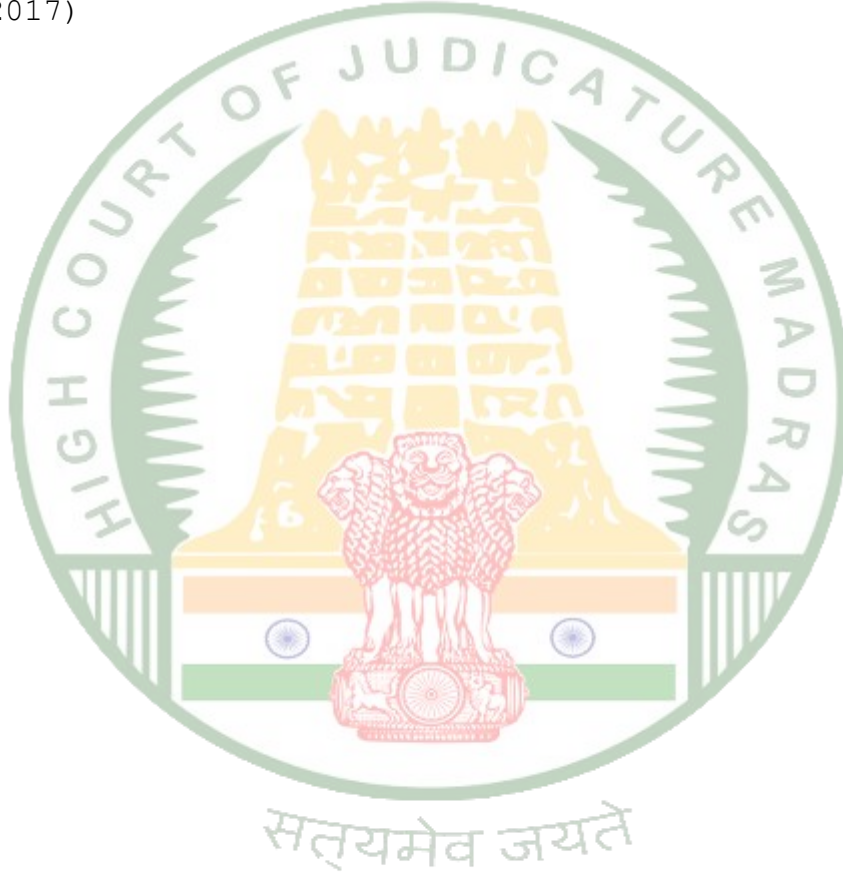
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5. The Executive Engineer
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Hosur, Krishnagiri District.

+1cc to Mr.M.v.Krishnan, Advocate, S.R.No.7001
+1cc to the Government Pleader, S.R.No.7113

W.P.No.2688 of 2017

KJ(CO)
CA(13/02/2017)



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