



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.06.2017**

CORAM:

**THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN**

W.P (MD) No.11166 of 2017

Kribananda Variar

.. Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Commissioner,
Dindigul Corporation, Dindigul.
3. The Superintendent of Police,
Dindigul District, Dindigul
4. The Revenue Divisional Officer,
Dindigul District, Dindigul.
5. The Inspector of Police,
North Police Station,
Dindigul Town, Dindigul.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent to evict the encroachers in the petitioners shop A-21, Gandhi market, Dindigul based on the complaint of the petitioner dated 31.05.2017.

For Petitioner : Mr.R.Ramasamy

For RR 1 & 3 to 5 : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the second respondent to remove the alleged encroachers in the shop of the petitioner (A-21), Gandhi Market, Dindigul District, based on the complaint dated 31.05.2017, by way of issuing a Writ of Mandamus.



2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the respondents 1 and 3 to 5. Considering the nature of the relief sought in the Writ Petition, notice need not be sent to the second respondent.

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3.The learned counsel appearing for the petitioner has contended to the effect that shop No.A-21 has been allotted to the petitioner, wherein he has been running his business. The persons namely Ganesan and Saravanan have encroached the shop of the petitioner and various complaints have been given, but action has not been taken and therefore, the present Writ Petition has been filed for getting the relief sought therein.

4.The learned Additional Government Pleader appearing for the respondents 1 and 3 to 5 has contended to the effect that one Manoharan has given a complaint against the petitioner and the same has been registered in Crime No.363 of 2017 on the file of Dindigul North Police Station and investigation is pending.

5.Considering the averments made in the Writ Petition, this Court can easily discern that there is a personal dispute between the petitioner and others. Since there is a personal dispute between the petitioner and others, this Court feels that the relief sought in the Writ Petition cannot be granted and at the most the petitioner can approach the concerned civil Court for getting remedy.

6.In fine, this Writ Petition deserves dismissal and accordingly is dismissed. No costs.

Sd/-

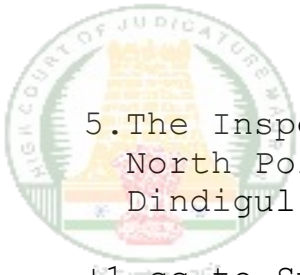
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Commissioner,
Dindigul Corporation, Dindigul.
- 3.The Superintendent of Police,
Dindigul District, Dindigul
- 4.The Revenue Divisional Officer,
Dindigul District, Dindigul.



5.The Inspector of Police,
North Police Station,
Dindigul Town, Dindigul.

+1 cc to Special Government Pleader in SR.No.60594

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AE/SV MMS/SAR2/27.06.2017/3P/7C

**ORDER MADE IN
W.P(MD) No.11166 of 2017
16.06.2017**