



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.3806 of 2017

V.Alagan

: Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Tahsildar,
Melur Taluk,
Madurai District.

3.Alagu

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to remove the encroachments made by the third respondent in Pattaneri Rock, situated in S.No.348/1 in Kambur Village, Melur Taluk, Madurai District.

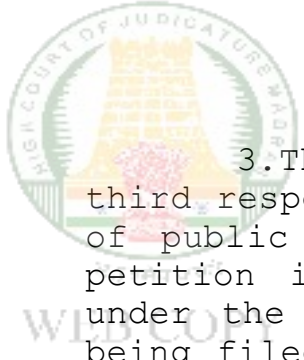
For Petitioner : No Appearance
For R1 & R2, : Mr.M.Govindan
Special Government Pleader
For Respondent No.3 : Mr.P.Bhaskar

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this writ petition in *Pro bono publico* to direct the respondents 1 and 2 to remove the encroachment said to have been made by the third respondent in respect to the land in Survey No.348/1 in Kambur Village, Melur Taluk, Madurai District.

2.The learned Counsel for the third respondent submitted that the petitioner is none other than the brother-in-law of the third respondent. There is a property dispute between the petitioner and the third respondent.



3.The present writ petition is filed only to threaten the third respondent and to submit to his terms. There is no element of public interest involving in this writ petition. The writ petition is nothing but private interest writ petition covered under the name of public interest litigation. The writ petition being filed for the purpose of protecting the private interest is not maintainable.

4.We therefore do not find any reason to issue a writ of mandamus as prayed for in the writ petition. The writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector, Madurai District,
Madurai.

2.The Tahsildar, Melur Taluk, Madurai District.

CM/tsg
AE/SKN RSK/SAR3/17.08.2017/2P/3C

Order made in
W.P. (MD) No.3806 of 2017
dated: **02.08.2017**