



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD] .No.14573 of 2013

and

M.P. (MD) No.1 of 2013

V.Kathayee

: Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.

2. The Revenue Divisional Officer,
Trichy, Trichy District.

3. The Superintending Engineer,
Public Works Department,
Trichy.

4. The Revenue Tahsildar,
Trichy.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to retrieve the land measuring about 65 cents comprised in Survey No.138/1A1 situated at Alathur Village, Trichy to the petitioner by removing the encroachment made by the third respondent.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

O R D E R

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

The petitioner filed this Writ Petition to retrieve the land from the third respondent.

2. The prayer in the Writ Petition is in the nature of a suit for recovery of possession. It is always open to the petitioner to approach the Civil Court. There is no question of issuing a direction for retrieving the land. The petitioner is given liberty to approach the appropriate Court for appropriate relief.



3. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
Trichy, Trichy District.
3. The Superintending Engineer,
Public Works Department,
Trichy.
4. The Revenue Tahsildar,
Trichy.

+1cc to Spl.Government Pleader Sr.No.63963

SML/MYR

VB/SV/SAR3/18.07.2017/2P/6C

**Order made in
W.P. [MD] .No.14573 of 2013
06.07.2017**