

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9150 of 2018

G.Krishnan

.. Petitioner

-vs-

1.The District Collector,
Villupuram.

2.The Special Thasildhar,
Addiravidar Welfare Department,
Tindivanm, Villupuram District.

3.The Thasildhar,
Marakanam Taluk,
Villupuram District.

4.The Block Development Officer,
Marakanam Block, Marakanam,
Villupuram District.

5.Govindaraju

6.Mani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to close the rear side entrance of the Group Houses constructed and allotted to the 5th and 6th respondents to the east of the petitioner's property in Survey No.23/3 (Old S.No.35/7B) at Singanandhal Village, Marakanam Taluk.

For Petitioner :Mr.N.Suresh

For Respondents:Mr.D.Surya Narayanan,
Additional Government Pleader
for R1 to R4

ORDER

This writ petition has been filed seeking a direction to respondents 1 to 4 to close the rear side entrance of the Group Houses constructed and allotted to the 5th and 6th respondents to the east of the petitioner's property in Survey No.23/3 (Old

S.No.35/7B) at Singanandhal Village, Marakanam Taluk.

2. According to the petitioner, he is the absolute owner of the property in S.No.23/3 (Old S.No.35/7B) situate at Singanandhal Village, Marakanam Taluk. He purchased 17 cents of land and he has been in possession and enjoyment of 20 cents, as per the lie of the land on the ground. The remaining extent of 7 cents is situated to the immediately west of the property of respondents 5 and 6 to whom the group houses were constructed by the fourth respondent by the funds allotted by the Government. While constructing the group houses, the rear side entrance of the house has been opened facing the property of the petitioner. According to him, without any approval for opening the access on the western side of the property of respondents 5 and 6, the group houses have been constructed, which causes great deal of inconvenience to the petitioner and affects the property right of the petitioner.

3. When the petitioner admittedly pleads before this Court that respondents 1 to 4 have already granted permission to respondents 5 and 6 to have their group houses, it is not known why the petitioner has not questioned the sale in the manner known to law. After allowing respondents 1 to 4 to grant permission in favour of respondents 5 and 6, the petitioner cannot come to this Court as he has to work out his remedy before the competent Civil Court. This Court is unable to entertain this petition and the same is dismissed. No costs.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

vga

To

1. The District Collector,
Villupuram.

2. The Special Thasildhar,
Adidraavidar Welfare Department,
Tindivanm, Villupuram District.

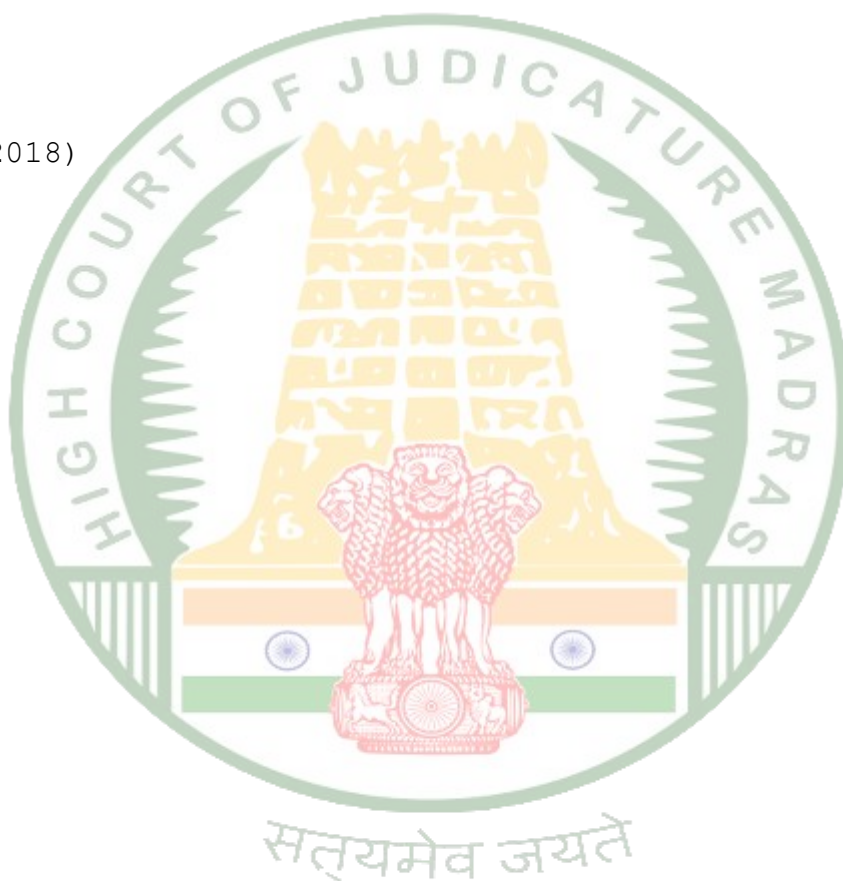
3. The Thasildhar,
Marakanam Taluk,
Villupuram District.

4.The Block Development Officer,
Marakanam Block, Marakanam,
Villupuram District.

+1 CC to Mr.D. Suryanarayanan, Advocate sr 28573.
+1 Cc to Govt. Pleader sr 28425.
+1 CC to Mr.N. Suresh, Advocate sr 28405.

W.P. No.9150 of 2018

SR(CO)
SP(27/04/2018)



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