

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.8084 of 2014

and

M.P.No.1 of 2014

Masilamani

..Petitioner

vs

1.The District Collector,
Tiruvannamalai, Tiruvannamalai District.

2.The Block Development Officer,
Arani Taluk, Tiruvannamalai District.

3.The Tahsildar,
Arani Taluk, Tiruvannamalai,
Tiruvannamalai District.

4.The President,
Kottambedu Village,
Sambuvarayanallur, Arani Taluk,
Tiruvannamalai District - 606903.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing to direction, forbearing the respondents from digging bore-well in the petitioner's private Patta land situated at Tiruvannamalai District, Arani Taluk, No.18, Kuppam Village, comprised in S.No.2/2B2 to an extent of 0.04.5 hectare in Patta No.665.

For Petitioner : Mr.M.A.Pragash
For Respondents : Mr.M.Elumalai
1 to 3 Government Advocate
For Respondent 4 : No appearance

WEB COPY
O R D E R

The relief sought for in this writ petition is to forbear the respondents from digging bore-well in the writ petitioner's private Patta land situated at Tiruvannamalai District, Arani Taluk, No.18, Kuppam Village, comprised in S.No.2/2B2 to an extent of 0.04.5 hectare in Patta No.665.

2. The learned counsel for the writ petitioner made a submission that the respondents are now attempted to dig a bore-well in his private land.

3. Be that as it may.

4. This Court is of an opinion that if at all any property right is infringed, it is for the writ petitioner to approach Civil Court of law in accordance with the procedures contemplated. All the property disputes and related issues are to be decided by the Civil Court in accordance with the procedures.

5. However, this Court can not go into title, ownership or possession rights of the respective parties in the writ petition under Article 226 of the Constitution of India.

6. Thus, the petitioner is at liberty to approach the Civil Court if any of his rights are infringed. Thus, the writ petition is devoid of merits and stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

nmm/asi

To

- 1.The District Collector,
Tiruvannamalai, Tiruvannamalai District.
 - 2.The Block Development Officer,
Arani Taluk, Tiruvannamalai District.
 - 3.The Tahsildar,
Arani Taluk, Tiruvannamalai,
Tiruvannamalai District.
 - 4.The President,
Kottambedu Village,
Sambuvarayanallur, Arani Taluk,
Tiruvannamalai District - 606 903.
- + 1 cc to Mr. MAR.Pragash, Advocate Sr.38169
+ 1 cc to the Government Pleader Sr.37869

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(CS-VII)
EU(09/07/2018)