

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.17103 of 2014

and

M.P.No. 1 of 2014

R.Seshan

...Petitioner

Vs.

1.The District Forest Officer
Chengalpettu, Kancheepuram District.

2.The Forest Range Officer
Thiruporur Range, Thiruporur
Kancheepuram District.

3.The Tahsildar
Chengalpettu Taluk
Kancheepuram District.

.... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to consider and pass orders on petitioner's representation dated 2.9.2014 relating to the damages caused to his agricultural lands to an extent of 50 cents comprised in Survey No.406/2A, Kollathur Village, Kancheepuram District.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.K.K.Ramesh

1 and 2

Government Advocate [Forest]
for Respondents 1 and 2

Mr.A.Raja Perumal

Additional Government Pleader for R3

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to consider and pass orders on petitioner's representation dated 2.9.2014 relating to the damages caused to his agricultural lands to an extent of 50 cents comprised in Survey No.406/2A, Kollathur Village, Kancheepuram District.

2.The grievances of the writ petitioner is that the Forest Officials are causing certain interference in respect of the property belonging to the writ petitioner. This court is of an opinion that title or ownership of a person in respect of a property cannot be adjudicated in a writ proceeding under Article 226 of the Constitution of India. To establish a title or an ownership an aggrieved person has to approach the competent civil court for redressing his grievances. Even before a civil court an interlocutory application may be filed for the purpose of getting any interim order on establishing the case on merits and based on the documents.

3.Under these circumstances, this court cannot consider the prayer as such sought for in this writ petition. However, the writ petitioner is at liberty to approach the competent court of law for redressing his grievances in the manner known to law.

4.Accordingly, this writ petition is devoid of merits and stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

may

To

1. The District Forest Officer
Chengalpettu, Kancheepuram District.
2. The Forest Range Officer
Thiruporur Range, Thiruporur
Kancheepuram District.
3. The Tahsildar
Chengalpettu Taluk
Kancheepuram District.

+1cc to Mr.R.Venkatesan, Advocate, S.R.No.29120
+1cc to the Special Government Pleader, S.R.No.29290
+1cc to the Government Pleader, S.R.No.30721

W.P.No.17103 of 2014

cs/17/05/18