



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P. (MD) No.18009 of 2018

Venu ... Petitioner
vs.

1.The Revenue Divisional Officer,
Padmanabhapuram Revenue Division,
Thuckalay and Post,
Kanyakumari District.

2.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

3.The Special Tahsildar,
Adi Dravida Welfare,
Padmanabhapuram,
Kanyakumari District.

4.Mr.Yesunesan Nadar

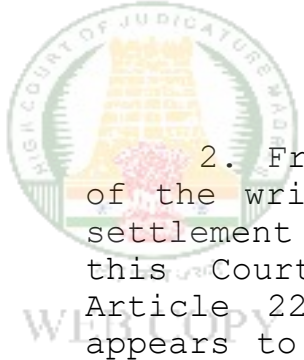
5.Mr.Chellam ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the second respondent to take appropriate action in accordance with law against the fourth and fifth respondents for illegally transferring the Government land to the fourth respondent.

For Petitioner : Mr.M.P.Hariprasad
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader
for R.1 to R.3

O R D E R

The grievance of the petitioner as projected in the Writ Petition is that the fifth respondent illegally executed a sale deed in an collusive manner in favour of the fourth respondent. Being aggrieved by such illegal sale, the petitioner is before this Court seeking a direction to the second respondent to take appropriate action against the fourth and fifth respondents for transferring the Government land.



2. From the averments made in the affidavit filed in support of the writ petition, it appears to be the adjudication involving settlement of various questions of fact, which cannot be done by this Court by exercising its extraordinary jurisdiction under Article 226 of the Constitution of India. The entire dispute appears to be purely civil in nature as between the petitioner and the fourth and fifth respondents. Therefore, this Court thinks that such jurisdiction cannot be invoked for settlement of private disputes by seemingly seeking innocuous prayer as sought in the writ petition.

3. Therefore, this Court is of the considered view that the Writ Petition is not maintainable and the same is dismissed. No costs. It is open to the petitioner to approach the appropriate civil Court for redressing his grievance, if he is so advised.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(cs-I)

To:

1.The Revenue Divisional Officer,
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3.The Special Tahsildar,
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Padmanabhapuram,
Kanyakumari District.

+1CC to Spl Government Pleader SR No.79089

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DS (NM) /RSK/SAR 1/24.09.18/2P/5C