

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 06.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.PARTHIBAN****W.P. (MD) No.17586 of 2018****WEB COPY**

Gowthaman

... Petitioner

vs.

1. The State of Tamil Nadu
rep.by its District Collector
Trichirappalli

2. The Tahsildar
Musiri Taluk, Trichy District

3. The Commissioner
Panchayat Union
Thathaiyengarpet
Musiri Taluk, Trichy District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider the representation of the petitioner dated 17.05.2018.

For Petitioner : Mr.V.Singan

For Respondents: Mr.G.Angappan

Government Advocate

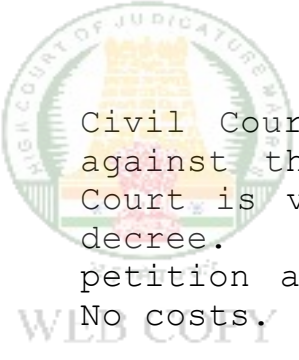
O R D E R

Mr.G.Angappan, learned Government Advocate, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. From the records, it appears that the petitioner has already approached the Civil Court and obtained a decree. Despite the decree in his favour, the issue has not been settled and the petitioner is indirectly seeking to execute the decree passed by the Civil Court in O.S.No.333 of 2004 by filing this writ petition.

4. This Court is of the considered view that the writ petition under Article 226 of the Constitution of India cannot be used for execution of decree of the Civil Court. In case, the petitioner has any grievance, it is always open to him to approach the Civil Court for appropriate remedies. The contention that the



Civil Court will not be able to give any directions or orders against the Government official is not acceptable. The Civil Court is vested with powers to act properly in execution of its decree. Therefore, this Court is of the view that the writ petition as such is not maintainable and the same is dismissed. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The District Collector,
Trichirappalli.
2. The Tahsildar,
Musiri Taluk,
Trichy District.
3. The Commissioner,
Panchayat Union,
Thathaiyengarpet,
Musiri Taluk,
Trichy District.

+1cc to Spl.Government Pleader Sr.No.77518

KRK

VB/SKN/SAR3/21.08.2018/2P/5C

W.P. (MD) No.17586 of 2018
06.08.2018