



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18877 of 2018

and

W.M.P. (MD) No.16711 of 2018

S.Perumal

... Petitioner

vs.

1.The District Revenue Officer
Trichirappalli

2.The Revenue Divisional Officer
Musiri, Trichy District

3.The Tahsildar
Musiri Taluk
Trichy District

4.M.Perumal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari to call for the records pertaining to the impugned order dated 30.05.2018 in Moo.Mu.Aa6/313/2018 of the first respondent and quash the same.

For Petitioner : Mr.J.Anandkumar

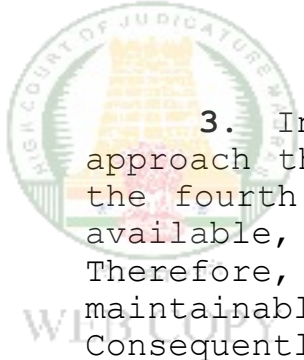
For Respondents : Mr.S.Angappan

Government Advocate (Civil Side)

ORDER

The petitioner is aggrieved by the order, dated 30.05.2018, passed by the first respondent, in respect of alteration of boundaries in regard to the property under his possession and enjoyment, as against the fourth respondent.

2. The first respondent appears to have passed a detailed order on the subject matter on the basis of various materials relied on by the petitioner. After adjudicating the rival claims, the first respondent has come to the conclusion and held as against the petitioner. Although the petitioner is aggrieved by the findings of the first respondent, it is not open to him to approach this Court by invoking its extraordinary jurisdiction under Article 226 of the Constitution of India for the simple reason that the adjudication of claim as between the petitioner and the fourth respondent would involve a determination of factual dispute and such an exercise cannot be done by this Court in its writ jurisdiction.



3. In any event, it is always open to the petitioner to approach the competent Civil Court to enforce his claim as against the fourth respondent. Without resorting to proper remedy that is available, the petitioner has chosen to approach this Court. Therefore, this Court is of the view that the writ petition is not maintainable and the same is, therefore, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

- 1.The District Revenue Officer,
Trichirappalli.
- 2.The Revenue Divisional Officer,
Musiri, Trichy District.
- 3.The Tahsildar,
Musiri Taluk,
Trichy District.

+1CC to Mr.J.Anandkumar, Advocate, SR.No.81180
+1CC to the Special Government Pleader SR.No. 81655

W.P.(MD) No.18877 of 2018
and
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KRK
ES/PM/SAR 1/24.09.2018/2P/6C