

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.25331 of 2010

Vijayalakshmi

Rep. by her power of attorney

K.Guruswamy

...Petitioner

Vs

1. The District Collector,
Krishnagiri.

2. The Tasildhar,
Taluk Office, House.

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of the property situate at S.No.704, Hosur, Krishnagiri.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.I.Sathish, AGP

ORDER

Heard the learned counsels appearing on either side and perused the materials available on record.

2. This Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the property situated at S.No.704, Hosur, Krishnagiri.

3. The learned counsel for the petitioner would submit that the right of the petitioner has been declared by the competent Civil Court in O.S.No.50 of 1996 and the same is also confirmed by the appellate Court in A.S.No.69 of 1998. Despite the same, the respondents are attempting to interfere with the possession and enjoyment of the petitioner.

4. The learned Additional Government Pleader, appearing for the respondents would state that if there is any violation of

the order / Decree of the Civil Court, the remedy of the petitioner is before the Executing Court and on that score, the Writ Petition is not maintainable.

5. I find force in the above submission of the learned Additional Government Pleader. Hence, the Writ Petition is dismissed, with liberty to the petitioner to approach the competent Civil Court for her remedy. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Krishnagiri.
2. The Tasildhar,
Taluk Office, House.

+1cc to the Government Pleader Sr.66340
+1c to Mr.V.Raghavachari, Advocate Sr.65849

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srg 25/09/2019

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