

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED :12.06.2019

CORAM  
THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. No.6339 of 2018  
and  
WMP. No.7891 of 2018

Mrs.K.Rajeswari

..Petitioner

vs

- 1.The District Collector,  
District Collectorate Office,  
Coimbatore.
- 2.The Commissioner,  
Coimbatore Corporation,  
Coimbatore.
- 3.Senthil Baskar,  
Assistant Town Planning Officer.
- 4.Prabu, Corporation Officer

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to dispose petitioner's representation dated 05.03.2018.

For Petitioner : Mr. Krishnasamy Chinnasamy

For Respondents : Mr. Akhil Akbar Ali,  
Government Advocate

सतयमेव जयते  
O R D E R

The Petitioner has filed this Writ Petition seeking a direction to dispose his representation dated 05.03.2018. It is the complaint of the Petitioner that the Third and Fourth Respondents, who are the Officials of the Coimbatore Corporation, have unlawfully encroached into her property and in her aforesaid representation she has sought the First and Second Respondents to take action against the Third and Fourth Respondents.

2. Having regard to the nature of dispute raised in the Writ Petition, which relates to her property, it is incumbent upon the Petitioner to first establish her title to the same and the

appropriate forum in this regard would be the jurisdictional Civil Court. That apart, it has not been stated either in the affidavit accompanying the Writ Petition or during the course of argument by the Learned Counsel for the Petitioner that the First and Second Respondents are competent to decide the complaint made in her representation under any statutory provision or governmental order.

3. In that view of the matter, the Writ Petition is dismissed. However, it is made clear that it would not preclude the Petitioner to pursue appropriate remedy before the competent forum and that no view has been expressed by this Court on the correctness or entitlement of the claim made by the Petitioner on the property. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkp

To

1.The District Collector,  
District Collectorate Office,  
Coimbatore.

2.The Commissioner,  
Coimbatore Corporation,  
Coimbatore.

+1cc to the Government Pleader, S.R.No.48088

W.P. No.6339 of 2018  
and  
W.M.P. No.7891 of 2018

BS (CO)

RRS (21/06/2019)

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