

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 19202 of 2019
and
W.M.P. No. 18638 of 2019

Mr.K.Srinivasan

... Petitioner

Vs.

1. The Secretary,
Tamil Nadu Health and
Family Welfare Department,
Fort St. George,
Chennai - 600 009.
2. The Dean,
Madras Medical College,
Rajiv Gandhi Government General Hospital,
Chennai - 600 003.
3. The Chief Warden,
Post Graduate Men's Hostel,
Madras Medical College,
Chennai - 600 003.
4. The Madras Medical College Post Graduate
Men's Hostel Council,
Rep. by its Mess Secretary,
TNPSC Road,
Esplanade, Park Town,
Chennai - 600 003.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Third Respondent to return the kitchen vessels and other belongings of the Petitioner.

For Petitioner : M/s. Swaminathan Law Associates

For Respondents: Mr. M. Karthikeyan (For R1 & R2)
Additional Government Pleader.

O R D E R

On a perusal of the nature of grievance sought to be ventilated by the Petitioner in the Writ Petition, it is noticed that the same actually relates to a dispute of private character between the parties which could be decided only after recording of evidence of the parties on their rival contentions and could not be redressed by invoking public law remedy following summary procedure under Article 226 of the Constitution.

2. Learned Additional Government Pleader appearing for the Respondents, on instructions, states that the Petitioner has instituted a suit in O.S. No. 2495 of 2019 before the City Civil Court, Chennai in respect of the same subject matter and as such, he could work out his remedies for the relief sought in the Writ Petition in that suit itself, which submission deserves acceptance.

3. Accordingly, the Writ Petition cannot be entertained and the same is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Tamil Nadu Health and
Family Welfare Department,
Fort St. George, Chennai - 600 009.

2. The Dean,
Madras Medical College,
Rajiv Gandhi Government General Hospital,
Chennai - 600 003.

+1cc to Mr.Swaminathan Law Associates, Advocate, S.R.No. 59965
+1cc to the Special Government Pleader, S.R.No. 60213

W.P. No. 19202 of 2019

NR(CO)
GN(26/07/2019)