

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3.10.2019

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.28757 of 2019

1. E.Gokul
2. E.Guhan

..Petitioners

Versus

1. The District Collector,
Thiruvallur District.
2. The Tahsildar,
Madhavaram Taluk,
Thiruvallur District.
3. S.Soundar Murugan
4. S.Jagadesh
5. S.Prabhu

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to dispose the representation of the petitioners dated 15.4.2019 on merits, which was given to mark the boundaries and to remove the encroachments made in the property comprised in Survey No.185/5, Old No.240, New No.2/156 Surapet Main Road, Surapet, Chennai 600 066 situated at Ambattur Taluk, Thiruvallur District, within the time frame that may be fixed by this court.

For petitioner : Mr.M.A.R.Pragash

For R1 & R2 : Mr.S.N.Parthasarathi, Govt. Advocate

ORDER

(Order of the court was made by Dr.VINEET KOTHARI,
Acting Chief Justice.)

The Writ Petition has been filed with the following prayer:-

"Writ of mandamus directing the respondents to dispose the representation of the petitioners dated 15.4.2019 on merits, which was given to mark the

boundaries and to remove the encroachments made in the property comprised in Survey No.185/5, Old No.240, New No.2/156 Surapet Main Road, Surapet, Chennai 600 066 situated at Ambattur Taluk, Thiruvallur District, within the time frame that may be fixed by this court."

2. Having heard Mr.M.A.R.Pragash, learned counsel for the Petitioner and Mr.S.N.Parthasarathi, learned Government Advocate for Respondents 1 and 2, we are of the view that there are private and civil disputes between the parties and it requires adjudication on factual aspects. Therefore, no mandamus direction can be issued. Hence, the Writ Petition is dismissed, with liberty to the Petitioner to file a Civil Suit in the competent Civil Court.

ssk

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Thiruvallur District.
2. The Tahsildar,
Madhavaram Taluk,
Thiruvallur District.

+1cc to Mr.M.A.R.Pragash, Advocate, SR.No.84741
+1cc to the Govt.Pleader, Vide Sr.No.85130

W.P.No.28757 of 2019

Kak(08/11/2019)

सत्यमेव जयते

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