



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.22249 of 2019
and
W.M.P. (MD)Nos.19028 and 19031 of 2019

M.Sivakamy

.. Petitioner

Vs.

- 1.The District Collector,
Madurai District Collectorate Complex,
Madurai District.
- 2.The Additional Director of Panchayat,
Madurai, Madurai District.
- 3.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai District.
- 4.The Block Development Officer,
Thirumangalam Panchayat Union,
Thirumangalam, Madurai District.
- 5.The Village Administrative Officer,
Keela Urapanoor Revenue Village,
Thirumangalam Taluk,
Madurai District.

6.Devi

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 5 herein to stop and remove the unauthorized construction made by the sixth respondent herein in the petitioner property having extent of 559 ½ sq.ft situated in Survey No.193 at Keela Urapanoor Revenue Village, Thirumangalam Taluk, Madurai District in the light of the petitioner's representation dated 16.08.2019.



WEB COPY

For Petitioner : Mr.C.M.Ganesan
For R1 to R3 & R5 : Mr.A.Muthukaruppan
Additional Government Pleader
For R4 : Mr.Shanmugaselvam
Additional Government Pleader

ORDER

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.C.M.Ganesan, learned counsel for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader and Mr.Mr.Shanmugaselvam, learned for Additional Government Pleader for the respective respondents. By consent on either side, this writ petition is taken up for final disposal.

2. After hearing the learned counsel for the petitioner, it is clear that there is a property dispute between the petitioner and the third respondent. Therefore, the petitioner has to necessarily approach the civil Court, if his civil right is affected in respect of the property. It is only thereafter, the petitioner can raise objections before the authorities with regard to any constructions being put up by the sixth respondent or any bore well, which has been erected.

3. Therefore, at this juncture, no relief as such sought for by the petitioner can be granted. However, it is open to the petitioner to workout his remedy before the competent civil forum as against the sixth respondent.

4. This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

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+1 CC to M/s.SPL GP (SR-93569[F] dated 22/10/2019)

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VB(05.11.2019) 3P : 7C