



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4850 of 2020

V.Kandan Vadivelu

Petitioner

vs.

1. The District Collector,
Singara Velar Maligai,
Chennai - 600 001.
2. The Commissioner,
Greater Chennai corporation,
Chennai 600003
3. The Commissioner of Police,
No.12B/ 36B, Zonal Office, 8th Ground Floor,
Pulla Residential, Shenoy Nagar,
Chennai 600030.
4. The Zonal Officer,
No.12B/ 36B, Zonal Office, VIII,
Ward No. 102, Ground Floor,
Greater Chennai Corporation,
Pulla Residential, Shenoy Nagar,
Chennai 600030
5. The Inspector of Police,
K-3-Amindakarai Police Station,
Chennai 600029
6. Kumari
7. V.Kumar
8. Kesavan
9. Rama Royappan

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1 to 2nd respondents to consider the petitioner representation dated



WEB COPY

21.12.2019, consequently direct the 1 to 2nd respondents to initiate the seal proceedings against the house building situated at No.3/1, Otter Palayam, Amindakarai, Chennai - 600 029.

For Petitioner : Mr.T.V.G.Kartheeban
For Respondents: Mr.G.Rajesh
Government Advocate
for R1, R3, R4 and R5

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondents 1 to 4 to consider the representation made by the petitioner on 21.12.2019 and to initiate proceedings to take over the property.

2.It is seen from records that there is a dispute between the petitioner on the one hand and the respondents 7 to 10 on the other hand with regard to the property. There seems to be constant fights between the petitioner and the private respondents with regard to the right over the property. According to the petitioner, the property in which the respondents 7 to 10 are residing is situated within the limits of Chennai Corporation and belongs to the Corporation. Therefore, the petitioner wants the Corporation to initiate the proceedings to seal the premises and take over the property.

3.In the considered view of this Court, private dispute between the petitioner and the respondents 7 to 10 cannot be agitated in this manner before the writ Court and the writ Court cannot be converted into an execution Court wherein directions can be given to the authorities to take over the properties. If the property really belongs to the Chennai Corporation, the authorities will always take action in accordance with law and it does not require a mandamus to be issued by this Court at the instance of the petitioner more particularly when there is a private dispute involved in this case.

4.This Court does not find any merits in this petition and accordingly the same is dismissed. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr



To

1. The District Collector,
Singara Velar Maligai,
Chennai - 600 001.
2. The Commissioner,
Greater Chennai corporation,
Chennai 600003
3. The Commissioner of Police,
No.12B/ 36B, Zonal Office, 8th Ground Floor,
Pulla Residential, Shenoy Nagar,
Chennai 600030.
4. The Zonal Officer,
No.12B/ 36B, Zonal Office, VIII,
Ward No. 102, Ground Floor,
Greater Chennai Corporation,
Pulla Residential, Shenoy Nagar,
Chennai 600030
5. The Inspector of Police,
K-3-Amindakarai Police Station,
Chennai 600029

+1cc to Government Pleader, Sr.No.18735
+1cc to Mr.T.V.G.Kartheeban, Sr.No.18065

W.P No.4850 of 2020

RJI (CO)
GS (10/07/2020)