

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.01.2021

Coram

The HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No.1260 of 2021

and

WMP.No.1405 of 2021

T.Govindaswamy

..... Petitioner

vs.

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.

3. The Special Officer / Secretary,
Peelamedu Co-operative House Building Society Ltd.,
Anna Nagar, Coimbatore - 641 004.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 1st and 2nd respondents from interfering with the peaceful possession and enjoyment of the house site No.5 extent 10 cents situated at Anna Nagar, Peelamedu, Coimbatore, without survey the land by the concern authorities within time to be stipulated by this Court.

For Petitioner .. Mr.R.Chandrasekaran

For Respondents .. Mr.D.Venkatesan
Govt. Advocate

ORDER

Mr.D.Venkatesan, learned Government Advocate takes notice for the respondents.

2. This Writ Petition is filed for a Mandamus forbearing the 1st and 2nd respondents from interfering with the peaceful possession and enjoyment of the house site No.5 to an extent 10 cents situated at Anna Nagar, Peelamedu, Coimbatore, without surveying the land by the concern authorities within time to be stipulated by this Court.

3. It is claimed by the petitioner that without surveying the land and locating the boundaries at site No.5, Anna Nagar, Peelamedu, Coimbatore District, the 1st and 2nd respondents are entered into his property and trying to put up a building and interfering with his peaceful possession and enjoyment of the said property. It is stated that though he has also made a representation to the 1st and 2nd respondent on 21.09.2020 in this regard, no action has been taken so far. Hence, he has approached this Court by way of this writ petition seeking for the above said relief.

4. Considering the above stated facts and circumstances, it appears that it is not the matter to be heard and decided in the writ jurisdiction as the petitioner has to agitate the matter before the appropriate Civil Court by filing appropriate proceedings to solve the dispute. Therefore, this Court finds no ground to entertain the writ petition. Hence, the Writ Petition stands dismissed, however, by granting liberty to the petitioner to work out his remedy before the competent Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vsi

To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.

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3. The Special Officer / Secretary,
Peelamedu Co-operative House Building Society Ltd.,
Anna Nagar, Coimbatore - 641 004.

+1cc to Mr.R.Chandrasekaran, Advocate Sr.3616

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srg 16/02/2021



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