



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-09-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.15031 of 2016

And

WMP No.13116 of 2016

S.V.S.Educational and Social Service Trust,
Represented by its Chairman,
Vasuki Subramanian,
W/o.Subramanian,
S.V.S. Homeopathy Medical College and
Hospital Research Institute,
Salem - Chennai NH -68,
BangaramVillage,
Kallakurichi Taluk,
Villupuram District.

...Petitioner

vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
3. The Additional Superintendent of Police,
CBCID,
Villupuram.
Villupuram District.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from preventing the College Management to construct the compound wall and construction of the petitioner's College building.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate.



O R D E R

The relief sought for in the present writ petition is to forbear the respondents from preventing the College Management to construct the compound wall and construction of the petitioner's College building.

2. The grievance of the writ petitioner is that they are running a Homeopathy Medical College, which is approved by the State and Central Government and affiliated by the Tamil Nadu Dr. M.G.R. Medical University.

3. The petitioner states that the adjacent land owners are the land grabbers and are frequently interfering with the college activities.

4. In respect of such civil disputes, no writ needs to be entertained and regarding the said dispute, the petitioner-College has to establish their civil rights before the Competent Court of Law.

5. Perusal of the affidavit filed by the petitioner-College would reveal that there are civil disputes between the parties. If at all the petitioner-College has to redress their grievances, the petitioner-College have to approach the Competent Civil Court of Law for the purpose of establishing their rights, titles and ownership in respect of the property, which they claims to be the owners.

6. However, such an adjudication of civil dispute, cannot be entertained in the writ proceedings under Article 226 of the Constitution of India. Thus, the petitioner-College is at liberty to approach the Competent Civil Court for the purpose of resolving the disputes relating to the subject property.

7. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn



To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
3. The Additional Superintendent of Police,
CBCID,
Villupuram.
Villupuram District.

+lcc to Mr.C.Prakasam, Advocate, S.R.No.48690
+lcc to the Government Pleader, S.R.No.48617

WP 15031 of 2016

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NSK 01/10/2021