

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12175 of 2021

M.Michael

... Petitioner

Vs

1 The Commissioner of Land
Administration Ezhilagam Chennai.

2 The Inspector of General of Registration
Santhome Chennai.

3 The District Collector
Theni District.

4 The Tahsildar
Bodinayakanur Theni District.

5 Paraman

6 Veerammal

7 Irulayammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus forbearing the respondents 1 to 4 from taking possession of the premises of the Government Land in Survey No.344/1 an extent of 0.45 cents and comprised in New Survey No.666/5 at Uppukottai Village, Bodinayakkanur , Theni District till the enquiry conducted by the 4th respondent as per the order passed in W.P.9380 of 2019 by this Court.

For petitioner : Mr.R.Karunagaran

For respondent : Mr.R.Shunmugasundaram,
Advocate-General,
Assisted by
Mr.P.Muthukumar,
Counsel for State,
for respondents 1 to 4

ORDER

(Made by The Hon'ble Chief Justice)

The petitioner says that the private respondents have obtained a decree from Civil Court behind the back of the petitioner by misrepresenting facts. According to the petitioner, by virtue of such decree, the private respondents have encroached on Government land.

2. There is a direct inter-se dispute between the petitioner and the private respondents. In any event, since a decree has been passed by a Civil Court, the remedy of the petitioner would be to have the decree set aside in accordance with law.

3. W.P.No.12175 of 2021 is disposed of without going into the merits of the matter and by leaving the petitioner free to institute appropriate proceedings for having the decree annulled. There will be no order as to costs. W.M.P.No.12962 of 2021 is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Commissioner of Land
Administration, Ezhilagam, Chennai.
- 2 The Inspector of General of Registration,
Santhome, Chennai.

3 The District Collector,
Theni District.

4 The Tahsildar,
Bodinayakanur, Theni District.

+lcc to Mr.R.Karunagaran, Advocate Sr.27381
+lcc to the Government pleader Sr.27406

W.P.No.12175 of 2021

rsv[co]
srg 12/07/2021



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