

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P. No. 17226 of 2021

I.Suresh ...Petitioner
Vs.

1. The Municipality Commissioner
O/o. Municipality Commissioner
Lala Chathiram Street
Kundrathur, Chennai - 600 069.

2. N.Devendran ...Respondents

Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the First Respondent to consider the Petitioner representation dated 29.07.2021.

For Petitioner : Mr. R.Arunkumar
For Respondents : Mr. P.Srinivas (For R1)

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

This matter has been heard through "Video Conference".

2. The Petitioner has come before this Court seeking Writ of Mandamus, directing the First Respondent to consider the Petitioner's representation dated 29.07.2021, in which the Petitioner alleges that the Second Respondent encroached upon the property belonging to the Petitioner and therefore, seeks action against the Second Respondent.

3. Heard Mr. R.Arunkumar, Learned Counsel for the Petitioner and Mr.P.Srinivas, Learned Standing Counsel takes notice for the First Respondent, and perused the materials placed on record.

4. Considering the fact that the dispute between the

Petitioner and the Second Respondent is private in nature, writ will not lie for removal of the alleged encroachment made on the Petitioner's property by the Second Respondent. If at all, the Petitioner could file a civil suit before the jurisdictional Civil Court for removal of the alleged encroachment made by the Private Respondent.

5. With the above observation, granting such liberty, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Maya

To

The Municipality Commissioner
O/o. Municipality Commissioner
Lala Chathiram Street
Kundrathur,
Chennai - 600 069.

+2cc to Mr.R.Arunkumar, Advocate, S.R.No.41293

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PCH(CO)
RGA(17/09/2021)