



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.17034 of 2021

D.Nagasubramanian

... Petitioner

Vs.

1.The District Collector,
Dindugul District,
Dindugul.

2.The Superintendent of Police,
Dindugul District.

3.The Tahsildar,
Nilakottai Taluk,
Dindugul District.

4.Palaniyandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 16.07.2021 and remove the encroachment in Sempatti Madurai Road, Neelakottai Taluk, Pachaimalaiankottai Village, Dindugul District, comprised in Survey No.58/2 1A1A.

For Petitioner : Mr.S.Sairam Ganapathi

For RR 1 to 3 : Mr.B.Saravanan
Government Advocate

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 16.07.2021 and remove the encroachment in Sempatti Madurai Road, Neelakottai Taluk, Pachaimalaiankottai Village, Dindugul District, comprised in Survey No.58/2 1A1A.



2.On a perusal of the affidavit filed in support of the Writ Petition, it could be seen that the petitioner himself has stated that the fourth respondent has encroached his property in Survey No.58/2 1A1A.

3.When the private respondent had encroached the petitioner's property, the said dispute can be resolved only before a competent Civil Court and not under Article 226 of the Constitution.

4.In such view of the matter, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

indu/ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Collector,
Dindugul District,
Dindugul.

2.The Superintendent of Police,
Dindugul District.

3.The Tahsildar,
Nilakottai Taluk,
Dindugul District.

+1 CC to M/s.SPL.GP (SR-29840[F] dated 22/09/2021)

W.P (MD) No.17034 of 2021
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MGJ(06.10.2021) 2P 5C