



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.(MD) No.17809 of 2017

S.Murugan

...Petitioner

Vs.

1.The Superintendent of Police,
Tuticorin District,
Tuticorin.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Kovilpatti,
Tuticorin District.

3.The Tahsildar,
Kovilpatti Taluk,
Tuticorin District.

4.The Inspector of Police,
Kadambur Police Station,
Kadambur,
Tuticorin District.

5.Thangavel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to consider the application of the petitioner, dated 01.07.2016, with regard to the demarcating the land in S.Nos.379/2, 379/1, 379/4, 379/5, 379/6 and 379/7 in Patta No.546, situated at K.Chitambarapuram Village, Kadambur, Kovilpatti Taluk, Tuticorin District.

For Petitioner : Mr.P.Subbaraj

For Respondents : Mr.M.Muniasamy for R1 to R4
Additional Government Pleader

Mr.I.Robert Chandrakumar for R5



O R D E R

This writ petition has been filed for the issuance of Writ of Mandamus, directing the third respondent to consider the application made by the petitioner on 01.07.2016, wherein, the petitioner is seeking for the survey and demarcation of the subject property.

2.Heard Mr.P.Subbaraj, learned counsel for the petitioner and Mr.M.Muniasamy, learned Additional Government Pleader for the respondents 1 to 4.

3.Both in the affidavit filed in support of the writ petition as well as the typed set filed in this Writ petition, there is absolutely, nothing to show how the petitioner is claiming right over the subject property. There is neither reference to any title deed nor any reference to patta issued in favour of the father of the petitioner. It is clear that there is a private dispute between the petitioner and the fifth respondent. This requires to be agitated only before a competent civil Court. Such property disputes cannot be indirectly agitated before this Court by filing a writ petition in the guise of seeking for a survey of the property. If such a practice is allowed, this Court will be flooded with writ petitions and it will be go out of control. Therefore, this Court is not inclined to entertain this writ petition and grant the relief sought for by the petitioner.

4.It is left open to the petitioner to workout his remedy before the concerned Civil Court against the fifth respondent and seek for redressal. Except giving this liberty, no further orders can be passed in this writ petition.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Superintendent of Police,
Tuticorin District,
Tuticorin.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Kovilpatti,
Tuticorin District.

3.The Tahsildar,
Kovilpatti Taluk,
Tuticorin District.

4.The Inspector of Police,
Kadambur Police Station,
Kadambur,
Tuticorin District.

+1 CC to M/s.P.SUBBARAJ, Advocate (SR-16786[F] dated 21/04/2021)

**W.P. (MD) No.17809 of 2017
20.04.2021**

KE(06.05.2021) 3P 6C