



W.P.No. 24595 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No. 24595 of 2022

Nazar

.Petitioner

Versus

1. The District Collector
Kanchipuram District.
2. The Tahsildar
Kunrathur, Chennai.
3. The Commissioner of Police
Vepery, Chennai.
4. The Sub Registrar, SRO
Kunrathur, Chennai.
5. The Village Administrative Officer
Sambantham Nagar
Kunrathur, Chennai.
6. The Revenue Divisional Officer
Sriperumbudur
Kanchipuram.
7. Nagarajan
8. Pazhani

... Respondents



W.P.No. 24595 of 2022

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Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 6 to dispose of the petitioner's representation dated 31.07.2020.

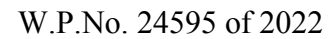
For Petitioner : Mr.J. Nissar Ahmed

For RR 1 to 6 : Mr.V. Manoharan
Additional Government Pleader

ORDER

The writ petition is filed seeking for a direction to the respondents to dispose of the petitioner's representation, dated 31.07.2020.

2. The grievance of the petitioner is that he has purchased a property situated at No.609, Kumaran Nagar, Plot No.317, Kunrathur, Kancheepuram District, comprised in Survey No.611, measuring an extent of 2400 sq.ft. and has been in possession and enjoyment of the property. While so, the respondents 7 and 8 have tried to trespass into the petitioner's property illegally. In this regard, the petitioner made a representation, dated 31.07.2020 to the respondents to conduct proper enquiry and pass appropriate orders, but the respondents have not taken



3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents 1 to 6 to consider the petitioner's representation dated 31.07.2020 and dispose of the same within a stipulated time that may be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents 1 to 6 submitted that in respect of the grievance of the petitioner if any, he has to approach the competent civil Court against the neighbouring land owners by way of filing a civil suit to get appropriate relief.

5. Heard both sides and perused the materials placed on record.



W.P.No. 24595 of 2022

WEB COPY

6. The facts are not in dispute. On a perusal of the records, it is seen that the petitioner has purchased the property situated at No.609, Kumaran Nagar, Plot No.317, comprised in Survey No.611, measuring an extent of 2400 sq.ft., on the file of Sub Registrar Office, Kunrathur, Kancheepuram District and he has been in possession and enjoyment of the property without any hindrance. In the meanwhile, the respondents 7 and 8 herein tried to trespass into the petitioner's property illegally. The aforesaid property was purchased in the year 2010 by the petitioner. It is also seen that there was some civil dispute between the petitioner and the private respondents. In the present case, the petitioner has to approach the Competent Civil Court by way of filing civil suit against the private respondents seeking for appropriate relief. The dispute is purely civil in nature by filing this writ petition under Article 226 of the Constitution of India is not sustainable one. Hence, this Court is not inclined to allow the present writ petition and the same is liable to be dismissed.



W.P.No. 24595 of 2022

WEB COPY

7. Accordingly, the writ petition is dismissed. The petitioner is at liberty to work out his remedy before the Competent Civil Court for getting appropriate relief in the manner known to law. No costs.

13.09.2022

Index:Yes / No
Speaking / Non-Speaking order
msm

To

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W.P.No. 24595 of 2022

M. DHANDAPANI, J.

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W.P.No.24595 of 2022

13.09.2022