



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.340 of 2022

K.R.Srinivasan

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Madurai District.

2.The Tahsildhar,
Thirumangalam Taluk,
Madurai District.

3.The Superintendent of Police (Rural)
Surveyor Colony, K Pudur,
Madurai 625 007.

4.S.Nambirajan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 03.12.2021 for taking action against the fourth respondent for illegal possession.

For Petitioner : Mr.K.Krishna

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

2. A reading of the petitioner's complaint *prima facie* indicates that it is rather civil in nature. The petitioner will have to move the jurisdictional civil Court for ejectment. If according to the petitioner, the occupants are tenants who are illegally occupying, then, remedy under the Rent Control Act will



have to be sought. Invoking writ jurisdiction for directing the respondent police is not appropriate. Leaving open the petitioner's other rights and remedies, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Collectorate,
Madurai District.
- 2.The Tahsildhar,
Thirumangalam Taluk,
Madurai District.
- 3.The Superintendent of Police (Rural)
Surveyor Colony, K Pudur,
Madurai 625 007.

Copy to:

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.KRISHNA, Advocate (SR-948[F] dated 10/01/2022)
W.P. (MD).No.340 of 2022
10.01.2022

MGJ(27.01.2022) 2P 6C