



W.P(MD)No.6678 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6678 of 2019

and

W.M.P.(MD)Nos.5338 and 5339 of 2019

V.Esthar Devi

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The Tahsildhar,
Taluk Office,
Tiruchedur,
Tuticorin District.

3.The Special Tahsildhar,
Adi Dravida Welfare Department,
Kumarapuram,
Tiruchedur,
Tuticorin District.

4.The Assistant Engineer,
TANGEDCO,
Kurumbur,
Tiruchedur Taluk,
Tuticorin District.

5.Shanmugakani

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 3 to conduct enquiry on the representation dated 02.03.2019 made by the petitioner and pass appropriate orders to evict the 5th respondent from the patta land of the petitioner which is situate at plot No.36, Block Number 353, at Kurunganathattu, Nallur Village, Tiruchendur Taluk, Tuticorin District.

For Petitioner : Mr.S.Siva Thilakar

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader for R1 to R3.
Mr.S.Deendhayalan,
Standing Counsel for R4.
Mr.D.Nallathambi for R5.

ORDER

Heard the learned counsel on either side.

2.During the pendency of the writ petition, the petitioner had filed O.S.No.97 of 2019 on the file of District Munsif Court, Thiruchedur seeking the relief of declaration and recovery of possession. The petitioner can as well work out her rights before the jurisdictional Civil Court. The jurisdictional Civil Court is directed to dispose of the said suit on merits and in accordance with law within a period of six months from the date of receipt of a copy of this



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order. The learned counsel for the fifth respondent is no more. I make it clear that I have not gone into the merits of the matter. All the contentions of both the parties are left open. The Registry is directed to mark a copy of this order to the learned Principal District Judge, Thoothukudi.

3.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

15.12.2022

Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Tuticorin District.
- 2.The Tahsildhar,
Taluk Office,
Tiruchedur,
Tuticorin District.
- 3.The Special Tahsildhar,
Adi Dravida Welfare Department,
Kumarapuram,
Tiruchedur,
Tuticorin District.

Copy to:-

The Principal District Court,
Thoothukudi.



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G.R.SWAMINATHAN, J.

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