



W.P.(MD).No.20664 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.09.2022

CORAM

THE HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD).No.20664 of 2022

S.Sathiyaraj

.. Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Kanniyakumari District.
- 2.The Sub Collector,
Office of the Collectorate,
Padmanabhapuram,
Kanniyakumari District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Padmanabhapuram,
Kanniyakumari District.
- 4.The Tahsildar,
Office of the Tahsildar,
Killiyoor, Kanniyakumari District.
- 5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Colachel, Kanniyakumari District.
- 6.The Inspector of Police,
Kollancode Police Station,
Kanniyakumari District.



W.P.(MD).No.20664 of 2022

7.Thasaiyan

8.Christeena

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 6 to implement the order of the 2nd respondent dated 05.08.2022 in A2/M.C. 45/2022 based on the representation of the petitioner dated 13.08.2022.

For Petitioner : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.R.Meenakshi Sundaram for R1 to R6
Additional Public Prosecutor

ORDER

The learned counsel for the petitioner submitted that the petitioner had preferred a complaint to the Sub Collector, Padmanabhapuram, based on the enquiry finding by the District Registrar regarding the fraudulent settlement executed by the 7th respondent in favour of 8th respondent. Since there was no action taken by the Sub Collector, Padmanabhapuram, the petitioner had filed this writ petition seeking direction against the respondents.

2.As per the submission of the learned Additional Public Prosecutor that there has been rival claim for the property, based on which, 107 Cr.P.C.



W.P.(MD).No.20664 of 2022

proceedings has been initiated and the direction issued under 107 Cr.P.C.

proceedings have been challenged by the petitioner.

3.The submission of the learned counsel for the petitioner is found to be a civil dispute between both parties. Therefore, it is for the petitioner to approach the Civil Court and obtain orders against the respondents. Based on the objections raised by the learned Additional Public Prosecutor, this Court is not inclined to entertain this writ petition.

4.Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

05.09.2022

Index : Yes / No
Internet : Yes / No
TM

To

1.The District Collector,
Office of the Collectorate,
Kanniyakumari District.

2.The Sub Collector,
Office of the Collectorate,
Padmanabhapuram,
Kanniyakumari District.



W.P.(MD).No.20664 of 2022

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Padmanabhapuram,
Kanniyakumari District.
4. The Tahsildar,
Office of the Tahsildar,
Killiyoor, Kanniyakumari District.
5. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Colachel, Kanniyakumari District.
6. The Inspector of Police,
Kollancode Police Station,
Kanniyakumari District.



WEB COPY



W.P.(MD).No.20664 of 2022

SATHI KUMAR SUKUMARA KURUP,J.

TM

W.P.(MD).No.20664 of 2022

05.09.2022