



W.P(MD)No.19297 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **26.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.19297 of 2015

and

M.P(MD)No.1 of 2015

N.Manimekalai

... Petitioner

Vs.

1.The Tahsildar,
Kandarvakottai Taluk,
Pudukottai District.

2.The Inspector of Police,
Kandarvakottai Police Station,
Kandarvakottai,
Pudukottai District.

3.R.Ganesan

... Respondents

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 2 to take action against the third respondent based on the representation of the petitioner, dated 21.10.2015 and consequently forbear the third respondent from disturbing the peaceful possession and enjoyment of the petitioner.



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For Petitioner : M/s.J.Anandkumar
For R-1 : M/s.B.Saravanan
Additional Government Pleader
For R-2 : M/s.P.Kottaichamy
Government Advocate (Civil Side)
For R-3 : M/s.S.Kumar

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, directing the first and second respondents to initiate action as against the third respondent and forbear him from disturbing the peaceful possession and enjoyment of the petitioner.

2. According to the petitioner, she is the owner of the property and she is in possession of the same. However, the third respondent without any lawful authority is interfering in her possession. The averments in the affidavit will clearly disclose that there is a serious title dispute between the petitioner and the third respondent herein.

3. The learned Counsel for the petitioner submits that the petitioner has already filed O.S.No.302 of 2013 on the file of the District Munsif Court, Pudukottai for the relief of declaration of title and



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permanent injunction, in which the present third respondent is shown as the sole defendant.

4. In view of the above said facts, the prayer sought for in the writ petition cannot be granted. The petitioner is at liberty to raise all the pleas in O.S.No.302 of 2013. With the above said liberty, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

26.10.2022

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The Tahsildar,
Kandarvakottai Taluk,
Pudukottai District.
- 2.The Inspector of Police,
Kandarvakottai Police Station,
Kandarvakottai,
Pudukottai District.



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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.19297 of 2015

26.10.2022