



W.P.No.2275 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.2275 of 2023

Kuppusamy ... Petitioner's

versus

1.The District Collector,
Palladam Road, Tiruppur District

2.The Chief Educational Officer,
No.514, 5th Floor,
Tiruppur Collectorate Office,
Tiruppur

3.The District Educational Officer,
D.No.632, 6th Floor,
Tiruppur Collectorate Office, Tiruppur

4.B.Shanmugavel ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider and pass orders on the petitioner's representation dated 23.07.2022.

For the Petitioner : Mr.V.I.Prashanth

For the Respondents : Ms.P.Rajarajeswari,
Government Advocate,
for respondents 1 to 3

Mr.V.Anandhamurthy,
for the fourth respondent



W.P.No.2275 of 2023

ORDER

WEB COPY

The writ petition has been filed in the nature of a mandamus seeking a direction to the first, second and third respondents namely the District Collector, Tiruppur, Chief Educational Officer, Tiruppur and District Educational Officer, Tiruppur to consider and pass orders on a representation dated 23.07.2022 given by the petitioner herein.

2. The petitioner herein has a number of grievances against the fourth respondent. The fourth respondent is B. Shanmugavel, the Great Minds, A Unique School at Kaniyampooondi Road, Tiruppur – 641663.

3. The petitioner Mr.Kuppusamy, is the lessor of the lands where the school is situated. There appears to be continuous issues between the petitioner on the one hand as lessor and the fourth respondent as lessee on the other hand.

4. The petitioner also had occasion to file an earlier writ petition in W.P.No. 24717 of 2021 again complaining about the various violation caused by the fourth respondent and I am informed that the



W.P.No.2275 of 2023

said writ petition had been dismissed by this Court and the petitioner was directed to go before the Civil Court with respect to issues in the lease deed.

5. The petitioner had unfortunately come back to this Court. The fact that a writ petition was filed earlier can easily be detected and could also be stated. This is what the learned counsel for the fourth respondent did. It is stated that for the very same relief as sought now, the earlier writ petition was filed and suffered an order of dismissal.

6. The petitioner should take the recourse to the proper forum if he wants his grievances to be addressed. The writ court can never enter into any discussion between a lessor and a lessee.

7. Additionally, instructions have been forwarded on behalf of the first, second and third respondents and they have stated that the fourth respondent is situated in land measuring 0.46 ½ cents. It is also stated that it is Primary Nursery School. Therefore there is no strict regulation required relating to the land area for that particular school.



W.P.No.2275 of 2023

8. At any rate, the petitioner will have to work out his remedy only before competent forum and certainly the writ court is not the proper forum.

9. The writ petition stands dismissed. No costs.

13.02.2023

Index: Yes/no
mrn

To

1.The District Collector,
Palladam Road, Tiruppur District

2.The Chief Educational Officer,
No.514, 5th Floor,
Tiruppur Collectorate Office,
Tiruppur

3.The District Educational Officer,
D.No.632, 6th Floor,
Tiruppur Collectorate Office,
Tiruppur



W.P.No.2275 of 2023

C.V.KARTHIKEYAN, J.
(mrn)

W.P.No.2275 of 2023

13.02.2023