



WEB COPY



W.P.No.3376 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3376 of 2020

K.Singaravelu

... Petitioner

Vs.

1.The District Collector,
District Collectorate Office,
Salem,
Salem District.

2.Vikaramahithan

3.Sargunam

4.Anandarasu

5.The Inspector of Police,
Theevattipatti Police Station,
Salem District.

(R5 impleaded as per order dated
24.02.2020 made in WMP.4991/2020
in WP.3376/2020 by CVKJ)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 04.03.2019, in the light of the judgment of this Hon'ble Court in "K.Gopal Vs.The State of Tamil Nadu,



W.P.No.3376 of 2020

WEB COPY

rep. by Chief Secretary, Fort St.George, Chennai and others” reported in 2005 (4) CTC 241 (Mad) within the time fixed as stipulated by this Hon'ble Court.

For Petitioner : Mr.P.S.Kothandaraman

For Respondents : Mr.U.Baranidharan for R1 and R5
Additional Government Pleader
Mr.M.Elango for R2 to R4

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 04.03.2019, in the light of the judgment of this Court in “K.Gopal Vs.The State of Tamil Nadu, rep. by Chief Secretary, Fort St.George, Chennai and others” reported in 2005 (4) CTC 241 (Mad) within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner submitted that respondents 2 to 4 are interfering with the petitioner's possession and enjoyment of the property. Hence, the petitioner made representation to the first respondent, however, the same has not yet been considered.



W.P.No.3376 of 2020

WEB COPY

3.The issue involved in the present writ petition is disputed question of fact, which cannot be decided in the writ petition under Article 226 of the Constitution of India and it can be ventilated only before the competent civil Court.

4.In view of the above, this writ petition stands disposed of with liberty the petitioner to approach the competent civil Court as against the respondents 2 to 4 for their illegal acts. No costs.

31.03.2023

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.The District Collector,
District Collectorate Office,
Salem,
Salem District.

2.The Inspector of Police,
Theevattipatti Police Station,
Salem District.

3/4



WEB COPY



W.P.No.3376 of 2020

M.DHANDAPANI,J.
pri

W.P.No.3376 of 2020

31.03.2023