



W.P. No. 8614 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM

THE HON'BLE MR.JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.P. No. 8614 of 2018

&

W.M.P. No. 10541 of 2018

Mrs. Kalaiselvi

..Petitioner

Vs.

1. The State rep. by
The District Collector,
O/o.The Collectorate,
Thiruvallur District,
Thiruvallur, Tamil Nadu.
2. The Assistant Director,
Land Survey Register Department,
Revenue Department,
Chennai – 600001.



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3. The Tahsildar,
Thiruvallur Taluk Office,
Thiruvallur District,
Chennai 602 001.

4. S. Mahesh

5. D. Shankar

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the impugned order dated 17.03.2018 bearing Letter Na.Ka.No. 7433/2017/A3 passed by the 3rd respondent and quash the same and to hold proper enquiry within the time frame as fixed by this Hon'ble Court.

For Petitioner :: Mr. Leelesh Sundaram for
M/s. Nathan & Associates

For Respondents :: Mr.P. Sathish
Addl. Govt. Pleader
for R1 to R3
No appearance for
R4 & R5



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ORDER

(Order of the Court was made by **S. Vaidyanathan,J.**)

The present writ petition is filed for issue of a Writ of Certiorarified Mandamus to call for the impugned order dated 17.03.2018 bearing Letter Na.Ka.No. 7433/2017/A3 passed by the 3rd respondent and quash the same and to hold proper enquiry within the time frame as fixed by this Hon'ble Court.

2. A reading of the impugned order reveals that inspection was made and it came to light that the petitioner had encroached upon the land admeasuring 12 metres by raising a compound wall which is to be utilised for public purpose. However, according to the petitioner, she had purchased the land and that there is no encroachment.

3. Since the dispute appears to be a private dispute, the writ petition is not maintainable. It is open to the petitioner or any other



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aggrieved party to approach the Civil Court and seek redressal. We make it very clear that the official respondents are also to be made as parties and 'A' register and other records will have to be produced by the official respondents in case any civil suit is filed by the petitioner or the private respondents with regard to the property in question.

4. The writ petition stands dismissed with the above observation. No costs. Connected W.M.P. is closed.

(S.V.N.J.) (K.R.S.J.)

14.07.2023

nv

To

1. The District Collector,
O/o.The Collectorate,
Thiruvallur District,
Thiruvallur, Tamil Nadu.
2. The Assistant Director,
Land Survey Register Department,
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3. The Tahsildar,
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S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

nv

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