



W.P.No.5893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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V.Dhanasekaran

.. Petitioner

Vs

- 1 The Secretary
Revenue Department, St. George Fort
Secretariat, Chennai – 09.
- 2 The District Collector
Office of the District Collectorate
Villupuram District, Villupuram.
- 3 The Sub Collector
Office of the Sub Collectorate
Jaggampet, Tindivanam Town and Taluk
Villupuram District.
- 4 The Tahsildar
Office of the Taluk Office
Gingee Taluk - 604 202
Villupuram District.
- 5 The Revenue Inspector
Office of the Revenue Inspector
Sathiyamangalam Village, Gingee Taluk
Villupuram District.



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- 6 The Firka Surveyor
Office of the Surveyor
Gingee Taluk Office Campus
Gingee Town - 604 202.
- 7 The Village Administrative Officer
Office of the VAO, Nallanpillaipetral Village
Gingee Taluk, Villupuram District.
- 8 Manokar
- 9 Senthamil Selvi
- 10 Jayalakshmi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 4th respondent to consider the petitioner's representation dated on 12.11.2022.

For the Petitioner : Mr.S.P.Thirumalai

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 7

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

V.Dhanasekaran, son of Vardhan, a resident of No.1/201, Palla Street, Nallanpillaipetral Village, Gingee Taluk, has filed this writ petition for issuance of a writ of mandamus directing the fourth



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respondent to consider the petitioner's representation dated 12.11.2022.

2. A perusal of the representation dated 12.11.2022 shows that the petitioner has sought for removal of encroachments made by respondents 8 to 10 in Survey No.420/6. In the said representation, the petitioner has also stated that he had filed a civil suit in O.S.No.92 of 2022 before the Additional District Munsif Court, Gingee for permanent injunction against respondents 8 to 10 restraining them from digging a pit in Survey No.420/6 (public pathway) for construction work.

3. Since the petitioner has already filed a civil suit in O.S.No.92 of 2022 before the Additional District Munsif Court, Gingee arraying respondents 8 to 10 herein as defendants 1 to 3 in respect of Survey No.420/6, the present writ petition filed by the petitioner for removal of encroachment in the same Survey No.420/6 is not maintainable.



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4. The writ petition is dismissed. However, liberty is granted to the petitioner to work his remedy in the aforesaid pending suit.

There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
28.02.2023

Index : Yes/No
Neutral Citation : Yes/No
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