



WEB COPY



W.P.No.26726 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.26726 of 2015
and M.P.No.1 of 2015

P.Singaravelan

.. Petitioner

Versus

1.The Commissioner,
Kancheepuram Municipality,
Office of the Commissioner
Kancheepuram Municipality,
Kancheepuram,
Kancheepuram District.

2.K.Devarasan

3.T.P.Thirunavukkarasu Mudaliar

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to take action against the illegal demolition of the wall undertaken by the 2nd respondent in premises No.208 Gandhi Road, Kancheepuram.

For Petitioner : M/s.Vedavallikumar

For Respondents

For R1 : Mr.G.B.Rajesh
Standing Counsel
(Kancheepuram Municipality)



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For R2 & 3 : Mr.Y.Jyothish Chander

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ORDER

This writ petition has been filed to grant direction to the first respondent to take action against the illegal demolition of the wall undertaken by the second respondent in premises No.208, Gandhi Road, Kancheepuram.

2. The averments made in the writ petition itself indicated that it is purely a private dispute between the petitioner and the second respondent herein. The petitioner already filed a suit before the Civil Court and sought interim order, however, the Civil Court declined such relief, after considering the Advocate Commissioner's report. Thereafter, the present writ petition has been filed.

3. As the very writ petition itself is filed with regard to the private dispute and since the Civil Court is already seized of the matter, this writ petition cannot be maintained.



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4. Accordingly, the writ petition stands dismissed as not maintainable.

No costs. Consequently, connected miscellaneous petition is closed.

30.01.2023

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Index : Yes / No

Speaking Order : Yes / No

To

The Commissioner,
Kancheepuram Municipality,
Office of the Commissioner
Kancheepuram Municipality,
Kancheepuram,
Kancheepuram District.

N.SATHISH KUMAR, J.

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