



WP No.22587 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.22587 of 2023
and WMP No.22018 of 2023

P.Vijayakumar

... Petitioner

-VS-

1. The Principal Secretary,
Adi Dravidar Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.
2. The Director,
Adi Dravidar Welfare Directorate,
Chepauk, Chennai 600 005.
3. The District Collector,
Collectorate, Tiruppur.
4. The District Adi Dravidar and Tribal
Welfare Officer, District Adi Dravidar
and Tribal Welfare Office,
Tiruppur.
5. The Thasildar,
Uthukuli Taluk,
Tiruppur.



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6. Ramasamy
7. Vijayalakshmi

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to order dated 03.03.2023 passed by respondent No.5 herein in proceeding No.Na/Ka/50/2023/A3 and to quash the same and consequently direct the respondent No.5 to implement the order dated 08.12.2022 passed in proceeding no.Na.Ka.7271/2018/Ka 1 by the respondent No.4 within a stipulated time frame fixed by this Court.

For the Petitioner : Mr.B.Mohan
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha,
Special Government Pleader,
for RR 1 to 5.

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Mohan, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 to 5.



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2. The learned counsel for the petitioner submits that the writ land is in exclusive enjoyment of the petitioner. The petitioner is given patta of the said land. Now, respondent Nos.6 and 7 have encroached upon the property of which patta is given to the petitioner.

3. The property in question is a private property. Private persons are stated to have encroached upon the property of the petitioner. The writ petition cannot be entertained for such a purpose. The petitioner has got a remedy before the Civil Court. The petitioner may avail the remedy before the Civil Court or before such other forum as may be permissible under law. In that event, all the contentions are kept open.

With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sra



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(sra)

To

1. The Principal Secretary,
Adi Dravidar Welfare Department,
Government of Tamil Nadu, Secretariat, Chennai.
2. The Director,
Adi Dravidar Welfare Directorate,
Chepauk, Chennai 600 005.
3. The District Collector, Collectorate, Tiruppur.
4. The District Adi Dravidar and Tribal
Welfare Officer, District Adi Dravidar
and Tribal Welfare Office, Tiruppur.
5. The Thasildar, Uthukuli Taluk, Tiruppur.

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