



WEB COPY

W.P.No.18261 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18261 of 2023

Mr.Anandan

... Petitioner

Vs.

- 1.The District Collector,
State Highway 96, Opp. District Court,
Palayapalayam,
Erode District – 638 011.
- 2.The District Revenue Officer,
C.S.I Institutions Campus,
Chidambaram Colony,
Erode 638 001.
- 3.The Thasildar,
New No.12, Old No.360
Erode Main Road, Panner Selvam Park,
Erode – 638 001.
- 4.The Sub-Inspector of Police,
Sivagiri Police Station,
Sivagiri, Erode District – 638 001.
- 5.Mr.Ramasamy @ Millu Mani
- 6.Mrs.Vasiki
- 7.Mr.Sanmugam



8. The Sub Registrar,
1/2, Kumaran Street Gandhi Road,
Sivagiri – 638 109.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner representation dated 27.03.2023.

For Petitioner : Mrs. Thenmozhi Shivaperumal

For R1 to R4 & R8 : Mr. D. Ravichander,
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the 2nd respondent to consider the representation submitted by the writ petitioner on 27.03.2023.

2. The petitioner states that he is the owner of the land described in the present writ petition. The petitioner states that he sent a representation to the respondents 1 to 3 and has given a complaint before the 4th respondent. However, none of the authorities have initiated action and thus, the petitioner is constrained to move the present writ petition.



WEB COPY

3. Perusal of the representation submitted by the writ petitioner on 27.03.2023 reveals that there is a civil dispute existing between the petitioner and the contesting respondents 5 to 7 and the Revenue Authorities are incompetent to adjudicate the civil rights between the parties.

4. This Court is of the opinion that all such disputed issues are to be adjudicated before the Competent Civil Court of Law based on the documents and evidences available on record. In the representation itself the petitioner has stated that the other parties are attempting to take possession and therefore, he has given a complaint. Possession, title or other connected civil rights are to be adjudicated before the Civil Court of Law.

5. The Revenue Authorities are incompetent to adjudicate such disputed issues between the parties. Merely issuing a direction to the Revenue Authorities to consider the representation would do no service to the cause of justice. Thus the litigants will be back again to the High Court by filing another writ petitioner.

6. Therefore, this Court is of the considered opinion that the petitioner



has to approach the Competent Civil Court of Law for the purpose of establishing his rights and to redress his grievances. Thus, the petitioner is at liberty to approach the Civil Court of Law.

7. Accordingly, this Writ Petition stands disposed of. No costs.

22.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The District Collector,
State Highway 96, Opp.District Court,
Palayapalayam,
Erode District – 638 011.
- 2.The District Revenue Officer,
C.S.I Institutions Campus,
Chidambaram Colony,
Erode 638 001.
- 3.The Thasildar,
New No.12, Old No.360
Erode Main Road, Panner Selvam Park,
Erode – 638 001.
- 4.The Sub-Inspector of Police,



W.P.No.18261 of

Sivagiri Police Station,
Sivagiri, Erode District – 638 001.

5. The Sub Registrar,
1/2, Kumaran Street Gandhi Road,
Sivagiri – 638 109.



WEB COPY



W.P.No.18261 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.18261 of 2023

22.06.2023