



W.P.No.29827 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29827 of 2023
and
W.M.P.No.29430 of 2023

M.Kuppusami

... Petitioner

versus

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Tahsildar,
Tindivanam Taluk,
Villupuram District.
- 3.The Block Development Officer,
Block Development Office,
Marakkanam, Marakkanam,
Villupuram District.
- 4.The Village Administrative Officer,
Avanampattu Village,
Tindivanam Taluk,
Villupuram District.
- 5.The Inspector of Police,
Mailam Police Station,
Villupuram District.

Pg.Nos.1/6



W.P.No.29827 of 2023

6.Palani
7.Elumalai @ Balu
8.Velan
9.Venkatesan
10.Irusappan
11.Jayaraman
12.Sekar

... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing respondents 1 to 5 to take action against respondents 6 to 12 not to interfering carryout any activities in the patta land belong to the petitioners in Old S.No.41/14 and New S.No.51/4 at Avanampattu Village, Tindivanam Taluk, Villupuram District except by due process of law.

For Petitioner : Mr.M.Mahendran

For Respondents : Mr.V.Veluchamy
Additional Government Pleader
for R1, R2 and R4
Mr.K.Karthik Jagannath
Government Advocate for R3
Mr.S.Sugendran
Additional Government Pleader for R5

ORDER

This Writ Petition has been filed seeking a mandamus directing respondents 1 to 5 to take action against respondents 6 to 12 not to interfere and carryout any activities in the petitioner's Patta land in Old S.No.41/14

Pg.Nos.2/6



W.P.No.29827 of 2023

and New S.No.51/4 at Avanampattu Village, Tindivanam Taluk, Villupuram District.

2. According to the petitioner, the petitioner and his sisters are in peaceful possession and enjoyment of the subject property from several years and Patta also stands in the name of the petitioner's grandfather. Respondents 6 to 12 with the help of the rowdy elements trespassed into the petitioner's land and unwontedly started to build a temple in the said land and interfering with the peaceful possession of the petitioner's Patta land. Hence, the petitioner is before this Court.

3. Heard the learned counsel on either side and perused the materials available on record.

4. On a perusal of the records and the submissions made by the learned counsel on either side, this Court is of the opinion that the dispute between parties is purely civil in nature and they have an alternative remedy



W.P.No.29827 of 2023

through Civil Court and hence, the writ petition filed under Article 226 of Constitution of India would not be maintainable.

5. In view of the above, the writ petition is dismissed with liberty to the petitioner to workout his remedy in the manner known to law and raise all his objections in that proceedings. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.10.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms



WEB COPY



W.P.No.29827 of 2023

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Tahsildar,
Tindivanam Taluk,
Villupuram District.
- 3.The Block Development Officer,
Block Development Office,
Marakkanam, Marakkanam,
Villupuram District.
- 4.The Village Administrative Officer,
Avanampattu Village,
Tindivanam Taluk,
Villupuram District.
- 5.The Inspector of Police,
Mailam Police Station,
Villupuram District.



WEB COPY



W.P.No.29827 of 2023

P.VELMURUGAN, J.

ms

W.P.No.29827 of 2023

16.10.2023

Pg.Nos.6/6