



W.P.(MD).No.17026 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **14.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.17026 of 2023
and W.M.P(MD).No.14244 of 2023

R.Marimuthu

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Commissioner,
Dindigul Corporation,
Dindigul.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 12.06.2023 and not to interfere with the property rights of the petitioner in old T.S.No.1364/2, corresponding New T.S.No.1364/52 for an extent of 2040 sq.ft of land and building situated at Chettinayakampatti, Dindigul Town.



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For Petitioner : Mr.R.Kannan
For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader
for R1 and R2
Mr.Thirunavukarasu
Standing Counsel for R3

ORDER

The petitioner claims that his father has put up a tiled house in old T.S.No.1364/2 corresponding new T.S.No.1364/52, measuring an extent of 2040 sq.ft situated at Chettinayakampattai Village, Dindigul District and is having electricity connection and patta. However, the third respondent Corporation is illegally attempting to evict the petitioner and his father from the house. Hence, he has submitted a representation to the first respondent on 12.06.2023, in which, he has also mentioned about an appeal suit filed in A.S.No.52 of 2017 pending on the file of the Additional Sub Court, Dindigul, as against the third respondent Corporation. However, the representation of the petitioner has not been considered so far. Therefore, he has filed the present writ petition seeking for a direction to the respondents to consider the representation of the petitioner dated 12.06.2023 and not to interfere with his rights in the above mentioned property.



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2. Though the petitioner has submitted a representation on 12.06.2023 to the first respondent for protecting his rights over the above mentioned property on the ground that the third respondent is illegally attempting to evict him and his father from the property, the first respondent is not the Competent Authority to decide the rights of the petitioner over the subject property. The petitioner has already filed the appeal suit before the Additional Sub Court, Dindigul, as against the third respondent Corporation in respect of this issue and therefore, he has to work out his remedy before the civil Court.

3. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

14.07.2023

Index: Yes/No
Internet: Yes/No
ssb



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Dindigul.
- 2.The District Revenue Officer,
Dindigul District,
Dindigul.
- 3.The Commissioner,
Dindigul Corporation,
Dindigul.



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B.PUGALENDHI, J.

ssb

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