



W.P.(MD)No.21938 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.21938 of 2021

Sundarammal

... Petitioner

-VS-

1.The District Collector,
Virudhunagar Collectorate Office,
Sathur Road, Virudhunagar District- 626 002.

2.The Commissioner,
Sivakasi Corporation, Sivakasi- 626 123.

3.Usharani ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to conduct proper enquiry with reference to the petitioner's complaint, dated 03.12.2021, to the second respondent herein in order to safeguard the existing 3 feet pathway leading to Marudhupandiyar Madathu Street, Sivakasi.

For Petitioner : Mr.G.Thangavel

For R1 : Mr.R.Ragavendran
Government Advocate

For R2 : Mr.A.Kannan, Standing Counsel

For R3 : No Appearance



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ORDER

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This Writ Petition was filed for issuance of Writ of Mandamus, directing the second respondent to conduct enquiry on the complaint given by the petitioner on 03.12.2021, wherein the petitioner has alleged that the third respondent is putting up a drainage pipeline in the common pathway that is used by the general public as an access.

2. Heard the learned counsel appearing on behalf of the petitioner, the learned Government Advocate appearing on behalf of the first respondent and the learned Standing Counsel appearing on behalf of the second respondent.

3. The main grievance of the petitioner is that the third respondent is attempting to put up a drainage pipeline in the common pathway and thereby, there is a likelihood of damage to the property belonging to the petitioner. This Writ Petition was entertained in the year 2021 and no interim orders were passed by this Court. That apart, it looks like a private dispute between the petitioner and the third respondent. Therefore, this Court is not inclined



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to exercise its Writ jurisdiction in this case. Hence, it is left open to the petitioner to work out her remedy before the competent Civil Court.

4. This Writ Petition is disposed of in the above terms. No costs.

NCC : Yes/No

21.11.2023

Index : Yes/No

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N.ANAND VENKATESH, J.

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