



W.P(MD)No.26732 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26732 of 2023

and

W.M.P(MD)No.22994 of 2023

D.Pitchaimuthu

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

4.Sai Ramalingam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders bearing Na.Ka.Aa.



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4/1081/2023 dated 21.04.2023 and consequent impugned order bearing Roc.No.B4/1081/2023 dated 12.07.2023 on the file of the third respondent and quash the same as illegal and consequently direct the respondents to remove the coconut and neem trees in Plot No.M2 siding on the petitioner property.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the official respondents.

2. The petitioner alleges that the coconut trees planted by the fourth respondent who is the neighbour are causing nuisance to him. He therefore petitioned the revenue authorities for taking action. The revenue authorities relegated the petitioner to move the jurisdictional Court. To that effect, the impugned memorandum was issued. The same is put to challenge in this writ petition.

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3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4. I am satisfied that a petty issue between two adjacent land owners is sought to be given a different colour so as to invoke public law remedy. I am not inclined to interfere.

5. This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

07.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli, Tirunelveli District.

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G.R.SWAMINATHAN, J.

MGA

3.The Tahsildar,
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