

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5285 OF 2024

Ramesh Narayan Moilydevadiga ...Petitioner
Versus
Thane Municipal Corporation & Ors ...Respondents

**Dr Abhinav Chandrachud, with Janay Jain, Nikhil Waje & Vishesh
Srivastav, for the Petitioner.**
Mr Mandar Limaye, for Respondent No 1-TMC.

**CORAM G.S. Patel &
 Kamal Khata, JJ.**
DATED: 15th April 2024

PC:-

AMOL
PREMNATH
JADHAV

Digitally signed by
AMOL PREMNATH
JADHAV
Date: 2024.04.16
10:34:36 +0530

1. This is a private dispute between the Petitioner and Respondent No 3, his brother. A Suit has been filed in the District Court at Thane. The Appellate Court said that the Petitioner will have to approach the Thane Municipal Corporation (“TMC”) to make a representation. That appeal was dismissed. The Petitioner has filed a Writ Petition but has not assailed this direction or finding that the Petitioner’s remedy is to approach the TMC. In Writ Petition No 2162 of 2024 on 15th January 2024, the Petitioner obtained an interim relief.

2. Now this Petition comes to be filed asking that we should direct the TMC to decide the representation.

3. This would literally amount to deciding not only the previous Writ Petition but conceivably also the suit itself. The Petitioners remedies lie elsewhere.

4. We are not inclined to interfere.

5. The Writ Petition is rejected in these terms. No order as to costs.

(Kamal Khata, J)

(G. S. Patel, J)