



WEB COPY



W.P.No.9594 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.9594 of 2024

Deepa

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu Circle.
2. The District Collector,
Salem District.
3. The Superintendent of Police,
Salem District, Salem.
4. The Deputy Superintendent of Police,
Mettur Sub Division, Metturdam – 1.
5. The Inspector of Police,
Mecheri Police Station,
Salem District.
6. The Executive Officer,
Special Grand Town Panchayat,
Salem District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, directing the respondents to remove the obstruction made by the fourth to sixth respondents in the common pathway in S.No. 731 which is disputed in the pending civil suit in O.S.No. 11 of 2023.

For Petitioner	: Mr.M.Arun
For R1, R3 to R5	: Mr.S.Vinothkumar Government Advocate
For R2	: Mr.N.Naveenkumar Government Advocate
For R6	: Mr.M.Rajendiran Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to remove the obstruction made by the fourth to sixth respondents in the common pathway in S.No. 731, which is disputed in the pending civil suit in O.S.No. 11 of 2023.

2. Mr.S.Vinothkumar, the learned Government Advocate appearing on behalf of the respondents 1 and 3 to 5 would submit that a civil dispute between the parties are pending and the said Suit has been instituted in



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O.S.No.11 of 2023.

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3. In respect of the Government lands, the Authorities are empowered to initiate action to remove the encroachments. The claim of the petitioner is of civil nature. Therefore, the petitioner is at liberty to resolve the issues in the pending suit in O.S.No.11 of 2023 or in the manner known to law.

4. With this liberty, the Writ Petition stands **dismissed** at the admission stage itself. No costs.

08.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1. The Director General of Police,
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2. The District Collector,
Salem District.
3. The Superintendent of Police,
Salem District, Salem.

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4. The Deputy Superintendent of Police,
Mettur Sub Division, Metturdam – 1.
5. The Inspector of Police,
Mecheri Police Station,
Salem District.
6. The Executive Officer,
Special Grade Town Panchayat,
Salem District.



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S.M.SUBRAMANIAM,J.

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