



WEB COPY

W.P.No.16396 of 2024
and W.M.P.Nos.17957 & 17958 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16396 of 2024
and W.M.P.Nos.17957 & 17958 of 2024

1.M.Devi
2.A.Rajkumari
3.A.Selvi

...

Petitioners

versus

1.The Thasildhar,
Office of the Thasildhar Tambaram,
Tambaram Taluk,
Chennai - 600 045.

2.The Inspector of Police,
T-12, Selaiyur Police Station,
Chennai - 600 073.

3.R.Chandrasekaran
4.K.Ramesh

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records on the file of first respondent in Na.Ka.No.623/2024/ஏ2 dated 22.05.2024 and quash the same.



For Petitioner : Mr.V.Chandrakanthan
For Respondent No.1 : Mr.A.Selvendran
Special Government Pleader
For Respondent No.2 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. Challenging the communication between the first respondent and the second respondent, this writ petition is filed.

3. It is the grievance of the writ petitioners that the property in Survey No.146/7 has been purchased on 25.02.1981 with the pathway, which has been exclusively used by the petitioners for reaching the street. However, the respondents 3 and 4 claimed to have rights over the property. The third respondent is causing a hindrance to the property of the petitioners. At this stage, the communication has been sent by the Tahsildar to the Inspector of Police and therefore, the same is sought to be quashed in this writ petition.



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4. At the outset, this Court is of the view that the entire allegations in the writ petition indicate that this is only a private dispute with regard to the pathway. The Inspector of Police, to ascertain certain facts, has sought particulars about the revenue records from the Tahsildhar. In response to that letter, the communication has been sent to the Inspector of Police by the Tahsildar, indicating the nature of the properties as recorded in the revenue records.

5. Such being the position, a mere internal department communication cannot be put into challenge in a writ petition to vindicate the rights of the private parties. The rights of the private dispute have to be resolved in the manner known to law by adducing proper evidence.

6. In such view of the matter, this Writ Petition is not maintainable, as no orders affecting the rights of parties is passed by any authority.



7. Accordingly, this Writ Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

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Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

1.The Thasildhar,
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Tambaram Taluk,
Chennai - 600 045.

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N.SATHISH KUMAR, J.

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