



W.P. No.30895 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P. No.30895 of 2024

C.Anbazhagan

... Petitioner

Vs.

1.The District Collector,
Villupuram District.

2.The Sub Collector,
Akkampettai, Tindivanam,
Villupuram District.

3.The Tasildhar,
Marakanam Town and Taluk,
Villupuram District.

4.The Land Surveyor,
Siruvadi Taluk, Marakanam Town and Taluk,
Villupuram District.

5.The Village Administrative Officer,
Kolathur Village, Marakanam Circle,
Villupuram District.

6.Murugan

7.Arumugam

8.Govindasamy

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd Respondent to consider the petitioner's representation dated 15.08.2024 and to grant any other relief as deemed fit.

For Petitioner : Ms.R.Abirami

For Respondents : Mr.P.Sathish
Additional Government Pleader (for R1 to R5)

ORDER

The petitioner herein seeks a direction to the 3rd Respondent to consider his representation dated 15.08.2024.

2. It is the case of the petitioner that he purchased the 0.13 ½ cents of land in Survey No.44/6 in Santhamangalam village, Marakkanam Taluk, Vilupuram District and has been in possession and enjoyment of the same. The remaining 0.13 ½ cents in the said Survey No. was allotted to the petitioner under partition deed dated 21.07.1992. Thus, the petitioner claimed absolute right over the land in Survey No.44/6. The petitioner further claimed that he had been in possession and enjoyment of land in the northern side of the above mentioned property in Survey No.43 except the portion allotted for road. The Respondents herein attempted to interfere with the possession of the petitioner, therefore he filed a Suit in O.S.No.78 of 2024 on the file of District Munsif Court, Tindivanam. It is



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also stated by the learned counsel for the petitioner that the petitioner also sought for injunction in I.A.No.386 of 2024 and the same is still pending.

3. In view of the fact that the petitioner has already filed a Civil Suit for interim relief, it is for the petitioner to work out his remedy before the Civil Court. Therefore, this Court is not inclined to issue any positive direction to the Respondents to consider the representation of the petitioner.

4. Further, it is made clear that the Respondents are not entitled to interfere with the petitioner's possession except by due process of law for a period of two weeks from the date of receipt of a copy of this order. It is for the petitioner to work out the remedy before the Civil Court in the mean time. The Civil Court shall consider the petitioner's case on its own merit without being influenced by anything said in this order.

5. Accordingly, the writ petition stands disposed of. No costs.

22.10.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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S.SOUNTHAR, J.

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To:

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