



W.P.No.32956 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.32956 of 2024

Chinnappan

.. Petitioner

Vs

1.The District Collector,
District Collector Office,
Salem.

2.The Revenue Divisional Officer,
Mettur, Salem.

3.The Tahsildar,
Tahsildar Office,
Omalur, Salem.

4.Chinnapaiyan

5.Selvaraj

6.Dhanasekar

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider the representation dated 14.9.2024 in accordance with law and within a stipulated period.

For Petitioner	: Mr.S.Sriram for M/s.KV Law Firm
For Respondents	: Mr.A.Edwin Prabakar State Government Pleader assisted by Mr.M.Habeeb Rahman Government Advocate for respondent Nos.1 to 3
	: Mr.M.Vijayaragavan for respondent Nos.4 to 6

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Counsel for respondent Nos.4 to 6 states that a private dispute is converted into a public interest litigation. Counsel states that respondent No.6 has filed a suit [*O.S.No.145 of 2024 on the file of the District Munsif Court, Omalur*] against five defendants, one of whom is petitioner herein.



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That suit is pending. The suit is for a decree of permanent injunction restraining the defendants, i.e., petitioner as well, from in any manner disturbing the plaintiff's peaceful possession and enjoyment of the suit property. The suit property is in Survey No.5/3. In the petition before us, no property is described. Counsel for respondent Nos.4 to 6 states that the existence of the suit has been suppressed in the petition.

2. Be that as it may, the instructions that learned Government Pleader received from the Tahsildar, vide a communication dated 26th November, 2024, mentions that steps were taken on the petition of petitioner. Site field verification was conducted and the rocks and stones, which were obstructing the pathway, have been removed. The letter also reveals pendency of the civil dispute between petitioner and respondent No.6. In view thereof, there is no public interest in this petition.

3. Petition is dismissed with costs, which we fix at Rs.5,000/- [Rupees Five Thousand only]. Petitioner shall pay the amount of Rs.5,000/- to the following account of the Tamil Nadu State Legal Services



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Authority:

“TNSC Bank Account No.201300879

Head Office (SER) Branch, N.S.C. Bose Road, Chennai.

IFSC No.TNSC0000001”

The amount shall be paid within two weeks. If not paid, the State may recover as arrears of land revenue from petitioner and pay over the same to the Tamil Nadu State Legal Services Authority.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY,J.)

28.11.2024

Index : Yes/No

NC : Yes/No

Note:

Registry is directed to mark a copy of this order to the Tamil Nadu State Legal Services Authority.

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To:

1.The District Collector,
District Collector Office,
Salem.

2.The Revenue Divisional Officer,
Mettur, Salem.



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3.The Tahsildar,
Tahsildar Office,
Omalur, Salem.



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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