



Writ Petition No.38590 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.12.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.38590 of 2024

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R.Raji

.. Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by the District Collector,
Salem District, Salem.

2. The Superintendent of Police,
Salem District, Salem.

3. The Inspector of Police,
Yercaud Police Station,
Yercaud, Salem District.

4. A.Deivam

5. S.Geetha

6. S.Rajamani

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to provide protection to the properties situated at S.F.Nos.72/1A2 and 74/4B1 to the extent of 78 cents of Kolakkoor Village of the petitioner from being improved by third parties without procedure established by law.

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For petitioner : M/s.T.Banumathy

For respondents: Mr.S.Sugendran, Addl.P.P. for RR-1 to 3

ORDER

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent to provide protection to the properties situated at S.F.Nos.72/1A2 and 74/4B1 to the extent of 78 cents of Kolakkoor Village of the petitioner from being improved by third parties without procedure established by law.

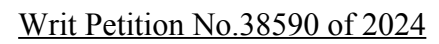
2. With regard to the relief sought for by the petitioner, it is seen that already, a civil suit in O.S.No.106 of 2023 (on the file of the Subordinate Court, Salem) is pending, wherein the petitioner herein is the plaintiff and the relief is sought for therein with regard to the private respondents 4 to 6 herein, who are the defendants 1 to 3 therein. Therefore, this Court cannot conduct roving enquiry with regard to the title and rights of the parties, and it requires oral and documentary evidence. The petitioner is at liberty to work out his remedy before the said Civil Court where O.S.No.106 of 2023 is pending.

3. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

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1. The District Collector,
Salem District, Salem.
2. The Superintendent of Police,
Salem District, Salem.
3. The Inspector of Police,
Yercaud Police Station,
Yercaud, Salem District.
4. The Public Prosecutor, High Court, Madras.



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P.VELMURUGAN, J

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