



WEB COPY



WA.No.3595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM:

THE HONOURABLE Mr.JUSTICE **R.SUBRAMANIAN**

AND

THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

WA.No.3595 of 2024
and
CMP.No.27965 of 2024

S.P.Dhanasekaran

... Appellant

-Vs-

1. The District Collector,
Salem District,
Salem.
2. The Block Development Officer,
Ayothipattinam Panchayath Union,
Vazhapadi Taluk,
Salem District, Salem.
3. The Inspector of Police,
Karipatty Police Station,
Salem.
4. The President,
Chinna Koundapuram Panchayath,
Ayothipattinam Union,
Vazhapadi Taluk,
Salem District.
5. T.Suryaprakash

... Respondents



WA.No.3595 of 2024

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 01.08.2024 in WP.No.21430 of 2024 and allow the Writ Appeal.

For Appellant : Mr.M.Dinesh

For Respondents : Mr.P.Balathandayutham
Additional Government Pleader for R1 to R4

J U D G M E N T

*[Judgement of the Court was made by **R.SUBRAMANIAN, J**]*

The prayer sought for by the petitioner cannot be granted in the writ jurisdiction. Even according to the petitioner, the pipe line, which has been allegedly disturbed by the 5th respondent is in Survey No.74/2, which is a cart track common to both the petitioner and the 5th respondent. The dispute is purely civil in nature and it is for the petitioner to workout his rights in the Civil Court. The writ Court has rightly dismissed the writ petition on the ground that it is open to the petitioner to approach the jurisdictional Civil Court seeking reliefs. Hence, we see no reason to interfere with the order of the Writ Court.



WA.No.3595 of 2024

2. The Writ Appeal fails and it is accordingly dismissed. No costs.

Consequently, connected CMP is also closed.

[R.S.M., J] [C.K., J]
06.12.2024

Index : No

Internet: Yes

Speaking Order

NCC : Yes/No

kmi

To

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