



W.P.(MD) No.2795 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.2795 of 2024

MDA /HSG47 TNSTC Karaikudi and Pudukkottai Region
Employees Housing Society Ltd.,
Rep. by its Administrator

... Petitioner

-Vs-

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Karaikudi Taluk, Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachments made in Plot Nos.17, 18 and 19 in the Government assigned approved plots in Survey No.235/2 of Kalanivasal Village, Karaikudi Taluk, Sivagangai District within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.P.Vijaynivas

For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader



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ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.N.Satheesh Kumar, learned Additional Government Pleader, who takes notice for the respondents, submits that the plots in question are belonging to the petitioner Society and the issue involved in this Writ Petition is purely civil in nature.

3.In view of the said submission, we are of the view that the relief sought for by the petitioner cannot be given under Article 226 of Constitution of India. These are all private disputes between the petitioner and the encroachers and therefore, the petitioner has to seek his remedy only before the civil Court concerned. Therefore, we are not inclined to entertain this Writ Petition, accordingly, it is dismissed with liberty to the petitioner to seek his remedy before the appropriate forum. No costs.

[D.K.K., J.] & [R.V., J.]

09.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Yuva



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To

WEB COPY

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