



W.P.(MD).No.14270 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.14270 of 2023

S.Ganesan

...Petitioner

Vs.

1.The Sub Collector / Revenue Divisional Officer,
Dindigul, Dindigul District.

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

3.The Inspector of Police,
Town West Police Station,
Dindigul,
Dindigul District.

4.Sathya Nagarani

5.R.Srinivasan

6.N.Vasudevan

7.S.Sadaiyammal

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing respondents Nos.1 to 3 to evict the illegal trespassers the 4th to 7th respondents from the petitioner's house and restore the possession to the petitioner in the



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house building at Door No.M.80, T.S.No.544/10 to an extent of 3092 Sq Ft Plot No.MIG-1-80 at Ranimangammal Colony, 2nd Ward, Dindigul and also consider the petitioner's representation dated 24.05.2023

For Petitioner : Mr.S.Pugalendhi

For R-1 to R-3 : Mr.A.Albert James
Government Advocate
(Criminal Side)

For R-6 & R-7 : Mr.S.Sarvagan Prabhu

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing respondent Nos.1 to 3 to evict the illegal trespassers, namely, respondent Nos.4 to 7 from the subject property and to restore the possession of the property to the petitioner based on the representation dated 24.05.2023.

2. Heard the learned counsel on either side.

3. The relief as sought for by the petitioner is not sustainable. The Police will not have any right to evict someone from the property and to restore the possession to the petitioner. That apart, it is also brought to the notice of this Court that a suit has already been filed in O.S.No.187 of 2023 by the seventh respondent herein against the petitioner and two



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others seeking for the relief of permanent injunction and the same is pending on the file of the learned Principal District Munsif, Dindigul. Hence, the parties will have to necessarily work out their remedy in the pending suit.

4. In the result, the Writ Petition is closed. No costs.

08.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1. The Sub Collector / Revenue Divisional Officer,
Dindigul, Dindigul District.

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

3. The Inspector of Police,
Town West Police Station,
Dindigul,
Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.14270 of 2023**

**Dated :
08.11.2024**