



WP(MD). No.19844 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 20/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.19844 of 2024
and WMP(MD) No.16820 of 2024

Lakshmi

... Petitioner

Vs

1. The Tahsildar,
Ilayangudi Taluk,
Ilayangudi,
Sivagangai District..

2. The Sub Registrar,
Registration Department,
Ilayangudi,
Sivagangai District..

3. Rajendran,
S/o. Subban,
Kallani Vllage,
Ilayangudi Taluk,
Sivagangai District..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the Respondents No.1 and 2 to consider the Representation made by the



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petitioner through her Counsel dated 23.03.2024 and pass orders within time as fixed by this Court thereby providing her an opportunity of personal hearing.

For Petitioner : Mr.B.Prahalad Ravi,
For Respondents : Mr.D.Sadiq Raja for R1
Special Government Pleader
Mr.C.Satheesh for R2
Government Advocate

ORDER

The writ petition is filed for a mandamus to direct the respondents No.1 and 2 to consider the representation made by the petitioner through her Counsel dated 23.03.2024 and pass orders within time as fixed by this Court thereby providing her an opportunity of personal hearing.

2. It is the grievance of the petitioner that with the consent of the third respondent, she constructed a house and house tax receipts were also issued in the name of the petitioner. However, now the third respondent, due to escalation of the price, is trying to sell the property to third parties and also instigated the first respondent to cancel the house tax receipts stood in the name of the petitioner and according to the petitioner, the respondents are trying to evict the petitioner from the



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subject property. Hence, the petitioner is before this Court with this writ petition.

3. On instructions, the learned Special Government Pleader would submit that the property originally stands in the name of Poochi, S/o.Kuppan. He has purchased the property in the year 2000 and that the petitioner or the third respondent had no right in the property.

4. At the outset, the petitioner is trying to seek an interim injunction on the ground that he has put up construction in the subject property with the consent of the third respondent. However, the third respondent is now trying to dispose the property. The relief sought is sought only against the third respondent. Whether the petitioner is constructed the house with the consent of the third respondent or not is a matter of evidence and it has to be established before the competent civil Court and not before the writ Court and Article 226 of the Constitution cannot be mechanically used to settle the private dispute.



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5. In view of the above, the writ petition is dismissed. No costs.

Consequently connected Miscellaneous Petition is closed.

20.08.2024

RR

TO

1. The Tahsildar,
Ilayangudi Taluk,Ilayangudi,
Sivagangai District..
2. The Sub Registrar,
Registration Department,
Ilayangudi,Sivagangai District..



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N.SATHISH KUMAR,J

**ORDER
IN
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