



W.P(MD)No.24964 of 2018

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.11.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN**

**W.P(MD)No.24964 of 2018**

**and**

**W.M.P(MD)No.22626 of 2018**

P.Natarajan

... Petitioner

Vs

- 1.The District Collector,  
Kanyakumari District,  
Nagercoil.
- 2.The Block Development Officer (Panchayats),  
Munchirai Panchayat Union,  
Puthukadai Post, Kanyakumari District.
- 3.The President,  
Methukummal First Grade Panchayat,  
Munchirai Panchayat Union, Methukummal Post,  
Kanyakumari District.
- 4.The Divisional Engineer,  
Highways Department,  
Kanyakumari District.
- 5.The Correspondent,  
St. Marys Matric Higher Secondary School,  
Vandankanavilai Junction (Mariagiri),  
Kaliyakkavilai Post - 629 153,  
Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned order passed by the first



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respondent vide C3/36800/2017 dated 18.06.2018 and quash the same and consequently direct the respondents 1 to 4 to remove arch constructed by the fifth respondent at Vandavilai Junction (Mariagiri) on the Kunnamvilagam Road, Methukummal Panchayat, Kanyakumari District which is an encroachment.

For Petitioner : Mr.D.Saravanan  
For RR 1 to 4 : Mr.D.Gandhi Raj  
Special Government Pleader  
For R – 5 : Mr.K.Ragatheesh Kumar  
for M/s.Isaac Cahambers

**ORDER**

This Writ Petition has been filed by the petitioner challenging the order passed by the first respondent dated 18.06.2018 thereby rejecting the request made by the petitioner seeking removal of the arch constructed by the fifth respondent School in the entrance of the School.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.It is seen that there is a dispute between the petitioner and the fifth respondent. The fifth respondent is a private School and constructed arch in front of the School on its own patta land. Therefore, the dispute between the petitioner and the fifth respondent is civil in nature. Hence, the first respondent rightly rejected the request made by the petitioner. This Court finds no infirmity or illegality in the order passed by the first respondent, dated 18.06.2018. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed.

4.Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to approach the appropriate civil Court for appropriate relief, if is so advised in the manner known to law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**25.11.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
ps



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WEB COPY

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**G.K.ILANTHIRAIYAN, J.**

ps

Order made in  
**W.P(MD)No.24964 of 2018**

**25.11.2024**