



W.P.(MD) No.21092 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.21092 of 2016
and
W.M.P.(MD) No.15081 of 2016**

T.Shanmugavel

... Petitioner

/vs./

1.The District Collector,
Office of the District Collector,
Thoothukudi District.

2.The Commissioner,
Thoothukudi Corporation,
Thoothukudi.

3.The Tahsildar,
Office of the Tahsildar,
Thoothukudi District.

4.Charlin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondent Nos.1 to 3 to protect the petitioner residing in No.181, Gandhi Nagar 2nd street, George Road,



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Thoothukudi District which was given by the Tamilnadu Government in the year 1956, consequently to take action against the Respondent No.4, who is trying to grab the dwelling house from the petitioner by illegal way within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1& R3 : Mr.J.K.Jeyaseelan
Government Advocate

For R2 : Mr.N.Anandakumar

ORDER

The prayer sought for in this writ petition is to direct the respondents 1 to 3 to grant protection to the petitioner and to take action against the fourth respondent for his act of trying to grab the dwelling house of the petitioner.

2. It is the case of the petitioner that the fourth respondent is trying to encroach upon the property belonging to the petitioner. In such event, the respondents 1 to 3 would not have any jurisdiction to resolve the dispute between the petitioner and the fourth respondent. It is for the petitioner to approach the competent civil Court for seeking the remedy against the fourth respondent.



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3. Therefore, the prayer sought for in this writ petition cannot be entertained. However, liberty is granted to the petitioner to approach the competent civil Court seeking the remedy against the fourth respondent, if he still attempts to grab the property of the petitioner.

4. With such liberty, the Writ Petition stands disposed of. No costs.
Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
mm

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To

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2.The Tahsildar,
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K.KUMARESH BABU, J.

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