



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5477 of 2025
and WMP Nos.6029 and 6031 of 2025

G.Shanmugam

Vs.

..Petitioner

1. The District Collector,
O/o.District Collectorate,
Puducherry
2. The Tahsildar Cum Chairman,
Administrative Advisory Committee,
Oulgaret Taluk,
Puducherry – 605 008
3. Mr.Xavier
4. Mr.Steven Gandhi
5. Mr.Francis
6. Mr.Robert
7. Mr.Rubala Mary

... Respondents



WEB COPY

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records pertaining to the order passed by the second respondent vide No.4992/Too/Lg/E/2024-2025 dated 23.12.2024 and quash the same.

For Petitioner : Mr.J.Raj Mohan

For Respondents : Mr.A.Tamilvanan
Additional Government Pleader
for R1 and R2

ORDER

This writ petition has been filed challenging the impugned proceedings dated 23.12.2024.

2. Heard Mr.J.Raj Mohan, learned counsel for the petitioner and Mr.A.Tamilvanan, learned Additional Government Pleader for R1 and R2.

3. There was a dispute between the petitioner and the private respondents and as a result, one of the private respondent had given a complaint before the 2nd respondent to the effect that the petitioner is attempting to encroach and grab the property belonging to the private respondents. On such complaint, the 2nd respondent has conducted an enquiry by calling both the



parties and ultimately, the impugned proceedings dated 23.12.2024 has been issued and the relevant portion is extracted hereunder:-

5. Therefore, in view of the aforesaid facts, it is evident that the counter petitioner has failed to produce evidence for the right over the property in question even after giving adequate time. The petitioner shall file a case before the concerned SHO if there is any unauthorized entry or trespassing by the counter petitioner. If the counter petitioner produces any document claiming right over the property, the parties are hereby advised to approach the appropriate legal forum to decide on the ownership of the title. In the meantime, the petitioners and the counter petitioner are advised not to create any issues leading to law and order.

4. It is clear from the above that the 2nd respondent has merely advised the private respondents either to go before the concerned police station and file a complaint and proceed with their remedy or to approach a competent Civil Court and work out the remedy. Hence, it is quite apparent the proceedings of the 2nd respondent did not decide the *interse* rights between the parties and it



was more in the nature of advise that was given to the private respondents.

Therefore, the petitioner cannot be really aggrieved by this impugned proceedings issued by the 2nd respondent. Except giving this clarity, no further orders can be passed in this writ petition.

5. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petitions are closed.

21.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order / Non Speaking Order
rka
To

1. The District Collector,
O/o.District Collectorate,
Puducherry
2. The Tahsildar Cum Chairman,
Administrative Advisory Committee,
Oulgaret Taluk,
Puducherry – 605 008

N. ANAND VENKATESH, J.
rka



WEB COPY



W.P.No.5477 of 2025

21.02.2025