



WEB COPY

WA Nos.1665 of 2024
and 1370 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02-07-2025
CORAM
THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WA Nos.1665 of 2024 and 1370 of 2025
CMP Nos.11768 of 2024 and 10553 of 2025

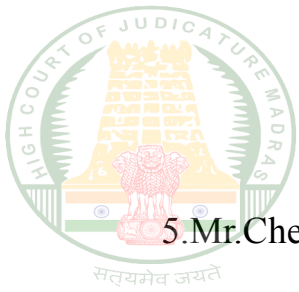
Chidambaram Sarvodaya Sangh,
Rep by its Secretary,
Reg.No.31/1974,
Having Head Office No.48,
South Car Street,
Chidambaram-608 001,
Cuddalore District.
(Affiliated with the Tamil Nadu
Sarvodaya Sangh, Tirupur)

Appellant(s) in both W.As.

Vs

- 1.The District Collector, Cuddalore,
Cuddalore District.
- 2.The Thasildar,
Chidambaram Taluk, Cuddalore District.
3. The Block Development Officer,
Keerapalayam Panchayat Union,
Chidambaram Taluk, Cuddalore District.
4. Khadi and Village Industries Commission,
Ministry of Micro, Small and Medium
Enterprises, Government of India,
No.326, Avvai Shanmugham Road,
Gopalapuram, Chennai-600 086, Tamil Nadu.

Respondents 1 to 4 in both
W.As



5. Mr. Chezian

Respondent No.5 in both W.As.

6. Mr. Krishmakumar

7. Tmt. Arulmozhi

Respondents 6 and 7 in
W.A.No.1370 of 2025

PRAYER Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 01.02.2024 made in W.P.Nos.19774 of 2018 and 7758 of 2019.

For Appellant(s): Mr.K.Raja
in both W.As.

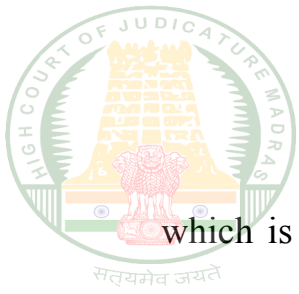
For Respondent(s): Mr.M.Rajendran,
Addl. Govt. Pleader for R1 to R4

COMMON JUDGMENT

(Judgment of the Court was made by J.Nisha Banu J.)

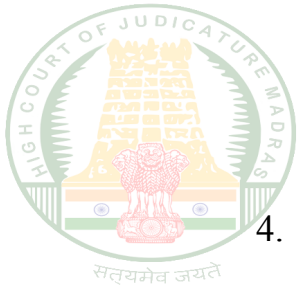
These writ appeals have been filed challenging the order of the Writ Court dated 01.02.2024 made in W.P.Nos.19774 of 2018 and 7758 of 2019.

2. The appellant herein /Chidambaram Sarvodaya Sangh is the writ petitioner and the said writ petitions were filed seeking to issue a Mandamus forbearing the respondents from using / utilizing / grabbing the land of the petitioner situated in S.Nos.74/2C and 78 in Orathur Village, Chidambaram Taluk, Cuddalore District. According to the appellant, the 5th respondent, who is residing just opposite to their premises, wanted to grab the promboke land,



which is situated behind the appellant's land, claiming that he is having land without any access. It is stated by the appellant that the 5th respondent, colluding with the Block Development Officer is attempting to obstruct the property of the appellant in order to get access to his land and hence they filed the above said two writ petitions.

3. The writ court, after hearing both sides and perusing the materials on record observed that the dispute between the petitioner and the 5th respondent, relating to civil rights, cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India. The learned Judge, further opined that merely based on the affidavit, the civil dispute cannot be adjudicated and it requires documents and evidence available on record. Therefore, the Writ Court has disposed of the writ petition by granting liberty to the writ petitioner / appellant to approach the competent Civil Court for the purpose of establishing their rights. This Court is in complete agreement with the view taken by the learned Single Judge and finds no reason to interfere with the order of the Writ Court.



4. Accordingly, these writ appeals stand dismissed. No costs.

Consequently, connected miscellaneous petitions are also dismissed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
02-07-2025

mst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Collector, Cuddalore,
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2. The Thasildar,
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