



WEB COPY

WA.No.3239 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WA.No.3239 of 2024
and
CMP.No.25012 of 2024

Idhurus

... Appellant

Vs.

1. K.M.Jainulabdeen

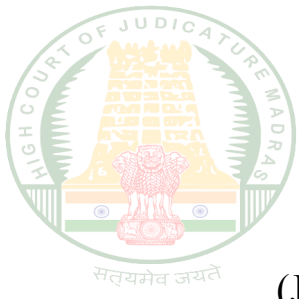
2. The Tahsildar,
Cheyyar Taluk,
Chengalpattu District.

... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 24.04.2024 in W.P.No.11123 of 2024.

For Appellant : Mr.S.Sriram

For Respondents : Mr.Vadivelu Deenadayalan for R2
: R1 - No appearance



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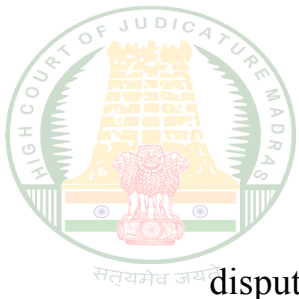
JUDGMENT

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

Under assail is the order dated 24.04.2024 passed in W.P.No.11123 of 2024.

2. The first respondent / Mr.K.M.Jainulabdeen filed a writ of mandamus to direct the respondent therein to dispose of the petitioner's representation dated 10.07.2023, seeking to survey the property situated at Panaiyur Village, Cheyyur Taluk, Chengalpattu District in Survey No.182/1B1 admeasuring to an extent of 13.50 ares and property in Survey No.182/1B2 admeasuring to an extent of 69.00 ares comprised in patta no.237.

3. Admittedly, the subject property is a private property. Land dispute exist between the appellant and the first respondent. The first respondent instead of resolving the issues through competent civil Court of law, filed a writ petition seeking a simple direction to dispose of the representation.



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4. Direction to dispose of the representation relating to civil disputes would do no service to the cause of justice. The litigants will be back again and therefore, High Court need not encourage such writ petitions filed seeking a direction to dispose of the representation, when the grievances are relating to civil rights.

5. It is brought to the notice of this Court that the first respondent once again filed CrI.OP.No.18500 of 2024, seeking police protection which was dismissed by this Court on the ground that Patta stood in the name of the first respondent was canceled.

6. All the more, it reveals that the issues between the appellant and the first respondent are of civil nature and the writ Court cannot adjudicate the disputed facts. Thus the parties are relegated to approach the competent civil Court for the purpose of resolving the disputes and to crystallize their civil rights.

7. In view of the above observations, the impugned writ order in W.P.No.11123 of 2024 dated 24.04.2024 is set aside and the Writ Appeal



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stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

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[S.M.S,J.] [K.R.S,J.]
17.04.2025

veda
Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No

To
The Tahsildar,
Cheyyar Taluk,
Chengalpattu District.



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S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

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