



W.P.(MD)No.968 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.01.2025**

CORAM:

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

W.P.(MD)No.968 of 2025

S.Sivasubramanian

... Petitioner

/Vs./

1. The District Collector
Thoothukudi District.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Superintendent of Police
Thoothukudi District.
4. The Inspector of Police
Taluk Police Station,
Thiruchendur,
Thoothukudi District.

5. Gopal Mani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action against the 5th respondent by considering the petitioner's representation dated 19.12.2024 within a stipulated period that may be fixed by this Court.



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For Petitioner : Mr.G.Chellappa

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader for R1 & 2

: Mrs.M.Aasha
Government Advocate (Crl.side) for R3&4

ORDER

This writ petition has been filed for a direction, directing the respondents 1 to 4 to take action against the 5th respondent by considering the petitioner's representation dated 19.12.2024.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. It is seen that there is a land dispute between the petitioner and the fifth respondent herein. Therefore, the petitioner lodged a complaint before the fourth respondent alleging that the petitioner owned property comprised in Survey No.1038 bearing Natham patta No.724, situated at Kanthasamipuram village, Tiruchendur Taluk, Thoothukudi District.



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While being so, the fifth respondent trespassed into the said property and closed Well with soil. Therefore, it is a civil dispute between the petitioner and the fifth respondent herein and the complaint lodged by the petitioner cannot be considered. The petitioner is at liberty to approach the civil Court for appropriate relief. At the same time, if any cognizance offence made out in the complaint made by the petitioner, the fourth respondent is directed to enquire the complaint in accordance with law.

4. With the above observation, this writ petition stands disposed of. No costs.

10.01.2025

Index : Yes / No
NCC : Yes / No
LS



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G.K.ILANTHIRAIYAN, J.

LS

TO:-

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Order made in
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