



W.P(MD)No.7016 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.7016 of 2025
and
W.M.P(MD)No.5925 of 2025**

Bhuvaneswari Murthy

... Petitioner

Vs

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Assistant Director,
Department of Geology and Mining,
Thanjavur District.
3. The District Revenue Officer,
Thanjavur District,
Thanjavur.
4. The Revenue Divisional Officer,
Kumbakonam Division,
Thanjavur District,
Thanjavur.



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5. The Thasildhar,
Thiruvidaimaruthur Taluk,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 26.09.2024 given to remove the unauthorized operation of brick kiln in the petitioner's property situated at Survey No. 218/2, Thiruneelakudi Village, Thiruvidaimaruthur Taluk, Kumbakonam, Thanjavur under the Tamil Nadu Minor Minerals Concession Rules, 1959.

For Petitioner : Mr.M. Varun Pandian,

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This writ petition has been instituted to direct the first respondent to consider the petitioner's representation, dated 26.09.2024 seeking to remove the unauthorised operation of brick kiln in the petitioner's property situated at Survey No. 218/2, Thiruneelakudi Village, Thiruvidaimaruthur Taluk, Kumbakonam, Thanjavur under the Tamil Nadu Minor Minerals Concession Rules, 1959.



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2. Admittedly, the brick kiln is unauthorisedly under operation in a patta land belongs to the writ petitioner. If at all any encroachment has been made in a private property/patta land, the owner of the land has to approach the competent civil Court for grant of appropriate relief including for an interim relief. However, private disputes between the land owner and illegal occupier cannot be resolved in a writ proceeding under Article 226 of Constitution of India.

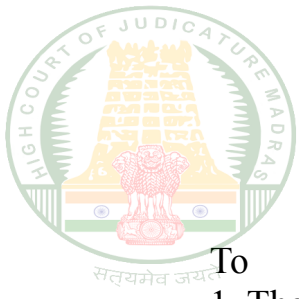
3. Granting liberty to the petitioner to approach the competent civil Court, the present writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
11.06.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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