



W.P(MD)No.13555 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13555 of 2025

S.Saraswathi

... Petitioner

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.
3. The Tahsildar,
Ettaiyapuram Taluk,
Ettaiyapuram,
Thoothukudi District.
4. The Inspector of Police,
Ettaiyapuram Police Station,
Ettaiyapuram,
Thoothukudi District.
5. Ayyalusamy

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 22.05.2022, and take appropriate legal action against the fifth respondent and his associates and consequently to restore the petitioner's possession of her house property situated at Melanambipuram Village, Ettaiyapuram Taluk, Thoothukudi District, within a time frame as may be fixed by this Court.

For Petitioner	: Mr. P. Saravanakumar
For R-1 to R-3	: Mr.S.Shanmugavel Additional Government Pleader
For R-4	: Mrs.M.Aasha Government Advocate (Crl. side)
For R-5	: Mr.K.K.Samy

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 22.05.2022, and take appropriate legal action against the fifth respondent and his associates and consequently to restore the petitioner's possession of her house property situated at Melanambipuram Village,



Ettaiyapuram Taluk, Thoothukudi District, within a time frame as may be fixed by this Court.

2. The petitioner and the fifth respondent are cousins. Admittedly, there is a dispute between them regarding property and gold jewels. Based on the complaint regarding gold jewels, CSR is issued. After investigation, it was concluded that the complaint was false and the same was closed. As far the complaint regarding the trespass into the property is concerned, the fourth respondent has taken the complaint on record and a case was registered in Crime No.191 of 2024. In the FIR, there are five accused and they preferred anticipatory bail. In the anticipatory bail application, there was a compromise between the petitioner and the five accused persons. Based on the compromise, the petitioner received a sum of Rs.15,000/-. After the completion of the criminal proceedings, now the petitioner has now filed the present writ petition.

3. This Court is of the considered opinion that the appropriate remedy lies before the Civil Court. The petitioner never ever knocked the Civil Court, but he is roaming around the criminal court and the writ court. However, the petitioner is at liberty to approach the competent Civil Court, if so advised.



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4. With the above observations, this Writ Petition stands dismissed. There shall be no order as to costs.

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03.07.2025

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

jbr

To:

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.
3. The Tahsildar,
Ettaiyapuram Taluk,
Ettaiyapuram,
Thoothukudi District.
4. The Inspector of Police,
Ettaiyapuram Police Station,
Ettaiyapuram,
Thoothukudi District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.13555 of 2025

DATED : 03.07.2025