

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.9484 of 2016
and
W.M.P. No.8503 of 2016

Amulu

... Petitioner

Vs.

1. The District Collector
Ariyalur District
Ariyalur
2. The Revenue Divisional Officer
Udayarpalayam Taluk
Ariyalur District
3. The Tahsildar
Udayarpalayam Taluk
Ariyalur District
4. The Commissioner
Jeyamkondam Municipality
Udayarpalayam Taluk, Ariyalur District
5. The Assistant Engineer
Highways
Jeyamkondam, Udayarpalayam Taluk
Ariyalur District
6. The Divisional Engineer
Highways, Tiruchirappalli

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents from taking any coercive measures to evict the petitioner from the premises bearing Survey No.439, measuring an extent of 0.10 cents, situated at No.36-A, New No.33, Chidamparam Road, Jeyamkondam Town, Udayarpalayam Taluk, Ariyalur District without following the due process of law.

For petitioner : Mr. J. Selvarajan
For RR 1-3, 5 & 6 : Mr. P.S. Sivashanmugasundaram
Special Government Pleader
For R4 : Mr. K. Karthikeyan
Government Advocate

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for respondents 1 to 3, 5 and 6 respondents. Mr. K. Karthikeyan, learned Government Advocate, accepts notice for the fourth respondent.

2. This writ petition is filed seeking a writ of mandamus forbearing the respondents from taking any coercive measures to evict the petitioner from the premises bearing Survey No.439, measuring an extent of 0.10 cents, situated at No.36-A, New No.33, Chidamparam Road, Jeyamkondam Town, Udayarpalayam Taluk, Ariyalur District, without following the due process of law.

3. The instant writ petition is filed by the petitioner based on the mere apprehension that she will be evicted from her aforestated premises, without giving an opportunity to her.

4. On a bare perusal of the pleadings, one can easily make out that the petitioner's apprehension is not borne out of any record. Further, it cannot be presumed and held that the authorities will not take action in accordance with the procedure and law. Thus, we are not inclined to entertain this writ petition. However, we hope and trust that the authorities will take action in accordance with law and on its own merits.

The writ petition stands dismissed with the above observation. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

cad

To

1. The District Collector
Ariyalur District
Ariyalur
2. The Revenue Divisional Officer
Udayarpalayam Taluk
Ariyalur District
3. The Tahsildar
Udayarpalayam Taluk
Ariyalur District
4. The Commissioner
Jeyamkondam Municipality
Udayarpalayam Taluk
Ariyalur District
5. The Assistant Engineer
Highways
Jeyamkondam
Udayarpalayam Taluk
Ariyalur District
6. The Divisional Engineer
Highways
Tiruchirappalli

+1cc to Mr.K. Karthikeyan, Advocate, S.R.No.16611
+1cc to the Government Pleader, S.R.No.16694

W.P. No.9484 of 2016

CA(CO)
CA(23/03/2016)

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