

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.520 of 2017

1. D.Chandrasekaran
2. D.Arul Gnanaraj
3. A.Varghese
4. Theresa
5. R.Saroja

... Petitioners

vs.

1. The District Collector,
Erode District,
Erode - 638 011.
2. The Divisional Engineer,
Highways Department,
Erode - 638 001.
3. The Manager,
Southern Railways,
Erode Junction,
Salem Division,
Erode - 638 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus declaring the action of the 3rd respondent at the instance of the respondent land to threaten the petitioners with dispossession and demolish the building bearing Door No.192/1, Annai Gandhi Street, Old Chennimalai Road, Erode - 638 002 (1st and 2nd petitioners), over an extent of 3600 sq. ft. in Erode Village, bearing Door No.302, M.G.R. Street, Sasthri Nagar, Erode - 638 002 (3rd and 4th petitioners) and bearing Door No.192/1/1, Sastri Nagar, 4th Street, Old Chennimalai Road, Erode - 638 002, over an extent of 3875 sq. ft. comprised in R.S.No.823/2, corresponding to Old S.F.No.1028/B, Erode Village. An extent of 3200 sq. ft. was purchased from one Jaidoonbibi under a Sale Deed dated 14.02.2001 (Doc.No.545/2001) and extent of 675 sq. ft. was purchased from one Mahaboob John Bibi under a Sale Deed dated 20.09.2001 (Doc.No.3222/2001) executed by their power agents in Erode Village (5th petitioner) over an extent of 1800 sq.ft. comprised in R.S.No.823/2, corresponding to old S.F.No.1028/B of Erode Village without giving any notices or

without or following any procedure or without initiating any land acquisition proceedings as totally arbitrary, illegal, unjust and unconstitutional being violating Articles 14, 21 and 300A of the Constitution of India and also in violation of principles of natural justice and contrary to the provisions of the Standing Order consequently directing not to dispossess the petitioners from their house bearing Door No. above said, Erode Village, except by due process of law.

For Petitioner : Ms.P.Karpagaselvi

For Respondents 1 & 2 : Mr.S.Rajeswaran,
Special Government Pleader

O R D E R

One P.Joseph, claiming to the Power Agent of the 3rd and 4th petitioners herein, has come up with this Writ Petition seeking a direction to the respondents not to dispossess the petitioners from their houses in Erode.

2. On a perusal of the typed set of papers, it is seen that no representation is filed by the petitioners. Such a Writ Petition cannot be entertained.

3. In view of the above, this Writ Petition is dismissed as not maintainable. However, the petitioner is at liberty to approach the authority concerned with proper representation. No costs.

s/d-
Assistant Registrar(CO)

//True Copy//

Sub-Assistant Registrar

aeb

To:

1. The District Collector,
Erode District,
Erode - 638 011.
2. The Divisional Engineer,
Highways Department,
Erode - 638 001.

3. The Manager,
Southern Railways,
Erode Junction,
Salem Division,
Erode - 638 001.

+1 CC to Mrs. P. Karpagaselvi, Advocate sr 2716

W.P.No.520 of 2017

PA (CO)
sp/9/2



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