



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4175 of 2017

and

W.M.P. (MD) Nos.3331 and 3332 of 2017

Rajas Dental College and
Sardar Rajas College of Nursing
Kavalkinaru Junction,
Perungudi - II Village,
Radhapuram Taluk,
Tirunelveli District,
Through its Chairman
Dr.S.A.Jacob Raja,

.. Petitioner

Vs.

1. The Assistant Divisional Engineer,
National Highways(47B),
Nagercoil,
Kanyakumari District.

2. The Tahsildar,
Thovalai Taluk,
Kanyakumari District
At Bhoothapandi,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration , declaring that the demolition of the petitioner's college compound wall by the 1st respondent to an extent of 550 Running meter on 01.03.2017 and the LED display - board, the threatening to demolish further without adopting the due process of law is void and illegal in an extent of 30.14 Acres within the college premises situated in Perungudi - II Village, Radhapuram Taluk, Tirunelveli District.

For petitioner : Mr.D.Rajkumar

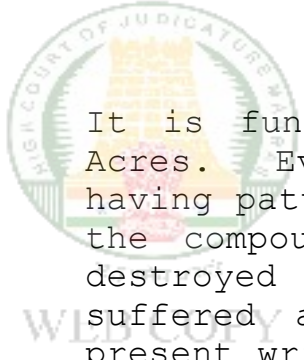
For Respondents : Mr.T.S.Mohameed Mohideen
Additional Government Pleader.

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

<https://hcservices.ecourts.gov.in/hcservices/>

The writ petitioner is running a Dental College in
Perungudi - II Village, Radhapuram Taluk, Tirunelveli District.



It is functioning within the college campus spread over 30.14 Acres. Even though according to the writ petitioner, they are having patta, the first respondent without any notice demolished the compound wall of the college. They also pulled down and destroyed the entire LED Display Board. As a result, they suffered a loss of Rs.11,40,000/-. Therefore, he filed the present writ petition seeking a declaration that demolition of the compound wall and the LED Display Board is illegal.

2. Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents.

3. A declaratory relief of this nature cannot be granted by this Court. The very prayer is misconceived. The writ petitioner appears to have completely misunderstood the very scope of the remedy of declaratory relief granted in writ proceedings. We do not find any merit in this writ petition and it stands dismissed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Assistant Divisional Engineer,
National Highways (47B),
Nagercoil,
Kanyakumari District.

2. The Tahsildar,
Thovalai Taluk,
Kanyakumari District
At Bhoothapandi,
Kanyakumari District.

+1cc to Mr.D.Rajkumar, Advocate SR.No.70823
+1cc to The Spl.Government Pleader Sr.No.71001

MM/SSS

VB/SV/MMS/SAR2/19/09/2017/2P/5C

ORDER MADE IN
W.P (MD) No.4175 of 2017
and
W.M.P. (MD) Nos.3331 and 3332 of 2017
03.08.2017