

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P. No.21996 of 2018 and
W.M.P. No.25789 of 2018

1. S.O.Mani
2. V.Marimuthu
3. V.Natarajan
4. N.Ganesan
5. R.Mohan
6. K.Vijay
7. P.Natesan
8. M.Ravi
9. K.Karuppiya

... Petitioners

Vs

1. The District Collector,
Ariyalur Taluk & District.
2. The Commissioner
Ariyalur Municipality,
Ariyalur.
3. The Revenue Divisional Officer
Ariyalur Taluk & District.
4. The Tahsildar
Ariyalur Taluk & District.
5. The Village Administration Officer
Ariyalur Taluk & District.
6. The Taluk Surveyor
Taluk Office,
Ariyalur Taluk & District.
7. The Inspector
Ariyalur Market Street,
Vila Nagra, Ariyalur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 7th respondent to give police protection to the petitioners and to restrain the statutory respondents 1 to 6 from disturbing the peaceful possession of the petitioners in respect of the property situated at Survey No.555/989 B, Ariyalur Town, Ariyalur Sub Registration District, admeasuring about 0.9 cents.

For Petitioners : Mr.V.Raghavachari

For R7 : Mr.C.Raghavan
Government Advocate

O R D E R

The writ petition has been filed to direct the 7th respondent to give police protection to the petitioners and to restrain the statutory respondents 1 to 6 from disturbing the peaceful possession of the petitioners in respect of the property situated at Survey No.555/989 B, Ariyalur Town, Ariyalur Sub Registration District, admeasuring about 0.9 cents.

2. It is the case of the petitioners that they are washermen by profession and that they were carrying out their activities in Survey No.555/989 B, Ariyalur Town, for quite some time. It is the grievance of the petitioners that the authorities are acquiring the said land for the purpose of putting up a bus stand.

3. It is the case of the petitioners that they have filed a suit in O.S.No.253 of 2013 before the Principal District Court, Ariyalur, and have obtained ex parte decree on 21.02.2017. Under such circumstances, the petitioners are before this Court with the above prayer.

4. The learned counsel for the petitioners submitted that the petitioners will be put to untold hardship if the land in question, is acquired.

5. In the opinion of this Court, a writ of mandamus against a statutory body cannot be issued. If the authorities are acquiring a certain portion of land, it cannot be interdicted by issuance of a writ of mandamus. It is always open to the petitioners to work out their remedies in the manner known to law.

With the above observation, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Ariyalur Taluk & District.
2. The Commissioner
Ariyalur Municipality, Ariyalur.
3. The Revenue Divisional Officer
Ariyalur Taluk & District.
4. The Tahsildar
Ariyalur Taluk & District.
5. The Village Administration Officer
Ariyalur Taluk & District.
6. The Taluk Surveyor
Taluk Office,
Ariyalur Taluk & District.
7. The Inspector
Ariyalur Market Street,
Vila Nagra, Ariyalur.

+1cc to Mr.V.Raghavachari, Advocate Sr.59704

W.P. No.21996 of 2018

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srg 20/09/2018