

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P.No.17217 of 2005
W.P.M.P.No.18690 of 2005

R.Deivasigamani

..Petitioner

vs

1. The Commissioner
Tiruppur Municipality
Tiruppur, Coimbatore District.
2. The Collector
Coimbatore District
Coimbatore.
3. The Superintendent of Police
Coimbatore Rural District
Coimbatore.
4. R.V.E.Venkatachala Gounder(deceased)
5. Muthukumaralingam
(R5 substituted as legal heirs of deceased R4
as per order dated 13.07.2018
in W.M.P.No.7361 of 2018)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent herein not to do any act except under due process of law in respect of the petitioner's peaceful possession and enjoyment of his lands in S.F.No.741, T.S.No.451/1, 2 and S.F.No.742, T.S.No.452/4 with an extent of 70 ½ cents situated in Nallur Village within Tiruppur Municipal Town and Taluk, Coimbatore District and further direct the 3rd respondent herein to give protection to the petitioner's life and property.

For Petitioner

: Mr.P.M.Duraisamy

For Respondents

: Mrs. K.Bhuvaneswari, AGP
for R2 & R3.
M/s.P.Shanthi
for R1.
M/s.D. RaviRaja
for R5.

O R D E R

The petitioner has filed the writ petition for issuance of a Writ of Mandamus, directing the 1st respondent herein not to do any act except under due process of law in respect of the petitioner's peaceful possession and enjoyment of his lands in S.F.No.741, T.S.No.451/1, 2 and S.F.No.742, T.S.No.452/4, with an extent of 70 ½ cents situated in Nallur Village within Tiruppur Municipal Town and Taluk, Coimbatore District and to further direct the 3rd respondent herein to give protection to the petitioner's life and property.

2. The petitioner has not produced any material to show that the 1st respondent has attempted to disturb the peaceful possession and enjoyment of the lands and tried to put a road across the petitioner's land.

3. In the light of failure on the part of the petitioner to produce necessary details, no direction could be issued by this Court.

4. Accordingly, the writ petition stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssb

To

1. The Commissioner
Tiruppur Municipality
Tiruppur, Coimbatore District.

2. The Collector
Coimbatore District
Coimbatore.

3. The Superintendent of Police
Coimbatore Rural District
Coimbatore.

+1 cc to Government Pleader Sr.No. 52292

+1cc to Mr.P.M.Duraisamy , Advocate SR.No. 51862

W.P.No.17217 of 2005
W.P.M.P.No.18690 of 2005

A.SK(19/08/2019)