



WEB COPY

W.P. (MD) No.17059 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.17059 of 2016

and

W.M.P. (MD) No.12365 of 2016

A.Abitha Beevi

: Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.
2. The Commissioner of Police,
Trichy City, Trichy.
3. The Inspector of Police,
Palakkarai Police Station,
Palakkarai, Trichy District.
4. The Manager,
Central Bank of India,
Cantonment Branch,
Trichy - 1.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents not to evict the petitioner's family from the petitioner's house bearing Door No.18, Jamaludeen Makkan Street, Palakkarai, Trichy - 1, without following the due process of law.

For Petitioner : No appearance

For Respondents : Mr.K.Mu.Muthu

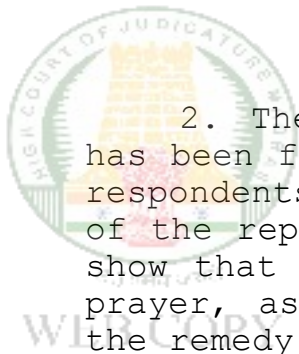
Additional Government Pleader
for R.1 to R.3

No appearance for R.4

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

Heard the learned Additional Government Pleader appearing for the official respondents. There is no representation for the petitioner.



2. The petitioner is the borrower. The present writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents not to evict her from the mortgaged property. A perusal of the representation made by the petitioner dated 07.08.2016 would show that the petitioner has already been evicted. That apart, the prayer, as sought for by the petitioner, cannot be maintained, as the remedy for the petitioner is before the Debts Recovery Tribunal and there cannot be a writ of mandamus as against the respondents, who are entitled to act in accordance with law.

3. With the above observation, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk

To

1. The District Collector,
Trichy District, Trichy.
2. The Commissioner of Police,
Trichy City, Trichy.
3. The Inspector of Police,
Palakkarai Police Station,
Palakkarai, Trichy District.

+1 CC to the SPL GP (SR-632[F] dated 08/01/2021)

W.P. (MD) No.17059 of 2016
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VR(CO)
CS(21.01.2021) 2P 5C