



W.P.(MD)No.16990 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.16990 of 2023

and

W.M.P.(MD)No.14219 of 2023

P.Gnanamuthu

... Petitioner

versus

1. The District Collector,
Thoothukudi,
Thoothukudi District.

2. The Tahsildar,
Ettayapuram Taluk,
Thoothukudi District.

3. The Village Administrative Officer,
Kadalaiyur Village,
Thoothukudi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents not to unlawfully evict the petitioner from his petty shop situated at Door No.32/3, Old Bus Stand, Kadalaiyur, Ettayapuram Taluk, Kovilpatti Block, Thoothukudi – 628 902 and thereby consider



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his representations within the time frame fixed by this Court.

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For Petitioner : Mr.A.Robinson

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner claims that he is a disabled person and he was permitted by the then District Collector, Tirunelveli District, to put up a shop at Door No.32/3, Old Bus Stand, Kadalaiyur, Ettayapuram Taluk, Kovilpatti Block, Thoothukudi. Since the second and third respondents have attempted to disturb his possession, he has filed a suit in O.S.No. 233 of 2018 before the District Munsif Court, Kovilpatti, which was dismissed for default on 15.03.2023. Taking advantage of the same, the respondents are now attempting to evict the petitioner. Hence, the petitioner has filed the present writ petition.

2. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents, submits that the petitioner is having



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sufficient means and having a pucca house. He has also produced a photograph of the petitioner's house. Apart from that, the petitioner has unauthorisedly put up a shop in Survey No.325/1. Therefore, the respondents are taking necessary steps to evict him after following due process of law.

3. The petitioner has filed this writ petition not to evict him without following due process of law. Now, the respondents submit that they would follow due process of law before evicting the petitioner.

4. In view of the said submission, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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