



WEB COPY



W.P.Nos.18039 and 18041 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.18039 and 18041 of 2023

K.Balaji
G.Vijayan

... Petitioner in W.P.18039/2023
... Petitioner in W.P.18041/2023

Vs.

1.The Commissioner of Vellore Corporation,
Vellore – 632 001.

2.The District Collector of Vellore,
Vellore – 632 009.

3.A.Gopi @ Govindaraj

4.A.Sadagopan

5.N.Ganesh Gandhi

6.The Sub – Registrar
No.1 Joint Registration Office,
Vellore.

... Respondents in both the W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents 1, 2 and 6 jointly and severally to pay appropriate compensation to the petitioners.



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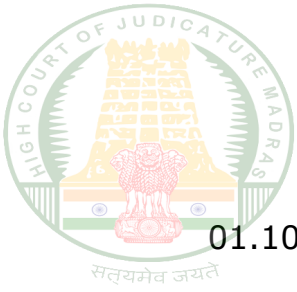
W.P.Nos.18039 and 18041 of 2023

For Petitioners : Mr.P.Balamurugan
For Respondents : Mr.PV.Balasubramanian for R1
Additional Advocate General
Assisted By
Mr.P.G.Prabu
Mr.C.Prabakaran for R2 & R6
Government Counsel
Mr.J.Titus Enock for R3, R4
Mr.Avinash Wadhwani for R5

COMMON ORDER

The writ petitions having filed seeking issuance of Writ of Mandamus directing respondents 1, 2 and 6 jointly and severally to pay appropriate compensation to the petitioners.

2.The learned counsel appearing for the petitioners submitted that the respondents 3 and 4 are the owners of the property where the petitioners are carrying on their business and on 25.09.2017, respondents 3 and 4 sent legal notice dated 25.09.2017 through the fifth respondent asking the petitioners to vacate the premises and the petitioners suitably replied to that notice on 16.10.2017. However, the first respondent issued notice dated 27.09.2022 purporting to be under Section 327 (3) of Vellore Corporation (Kovai) Act asking the tenants to vacate the building and the said notice was served on the petitioners on 29.09.2022 and the building was demolished on



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01.10.2022. Hence, the petitioners have filed these writ petitions seeking compensation.

3.The learned Additional Advocate General submitted that the private respondents made request for demolition of the building since it was in a dilapidated condition, endangering to the general public and thereafter the officials of the Vellore Corporation visited the premises and found the building was in a dilapidated condition, thereby they demolished the building. He further submitted that if at all the petitioners have any grievance, they will have to approach the Rent Control Authority, however, till date no rent control proceedings was initiated against the landlord and further submitted that the issue involved in the writ petitions is disputed question of fact, which cannot be adjudicated in writ petition under Article 226 of the Constitution of India.

4.Heard both sides and perused the materials available on record.

5.Perusal of records reveal that the respondents 3 and 4 are the owners of the property where the petitioners are carrying on their



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business and on 25.09.2017, respondents 3 and 4 sent legal notice dated 25.09.2017 through the fifth respondent asking the petitioners to vacate the premises and the petitioners suitably replied to that notice on 16.10.2017. Since the building was in a dilapidated condition, endangering to the general public, the private respondents made request for demolition of the building and the first respondent issued notice to the petitioners asking them to vacate the building and thereafter demolished the building.

6.If at all the petitioners have any grievance, they have to approach the Rent Control Authority, however, till date no rent control proceedings was initiated against the landlord. Further, the issue involved in the writ petitions is disputed question of fact, which cannot be adjudicated in writ petition under Article 226 of the Constitution of India.

7.The writ petitions are dismissed. No costs.

09.06.2026

pri
Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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M.DHANDAPANI,J.
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