

## **IC 34-27**

### **ARTICLE 27. SPECIAL PROCEEDINGS: MANDATE AND PROHIBITION**

#### **IC 34-27-1**

##### **Chapter 1. Writs of Mandate and Prohibition**

#### **IC 34-27-1-1**

##### **Actions for mandate; procedure**

Sec. 1. Writs of mandate in the circuit and superior courts are abolished. Causes of action previously remedied by writs of mandate may be remedied by means of complaint and summons in the name of the state on relation of the party in interest in the circuit, superior, and probate courts as other civil actions. Such actions are to be known as actions for mandate.

*As added by P.L.1-1998, SEC.23.*

#### **IC 34-27-1-2**

##### **Writs of mandate and prohibition in aid of appellate powers and functions**

Sec. 2. (a) The supreme court may issue writs of mandate and prohibition in aid of the appellate powers and functions of the supreme court.

(b) The court of appeals may issue writs of mandate and prohibition in aid of the appellate powers and functions of the court of appeals.

*As added by P.L.1-1998, SEC.23.*

#### **IC 34-27-1-3**

##### **Supreme court writ of mandate or prohibition to inferior court**

Sec. 3. (a) The supreme court may issue writs of mandate to any and all inferior courts compelling the performance of any duty enjoined by law upon the inferior courts, including the granting of changes of venue from the county in cases where:

- (1) change of venue is allowed by law;
- (2) timely, proper, and sufficient motion and affidavit have been filed for a change of venue; and
- (3) the motion for change of venue was refused.

(b) The supreme court may also issue a writ of prohibition to an inferior court to restrain and confine the inferior court to the inferior court's lawful jurisdiction.

*As added by P.L.1-1998, SEC.23.*

#### **IC 34-27-1-4**

##### **Costs**

Sec. 4. Costs shall be awarded in these proceedings as in civil actions.

*As added by P.L.1-1998, SEC.23.*