

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.P.No.30373 of 2014
and
M.P.Nos.1 to 3 of 2014

C.Palanisamy

Petitioner

Vs.

1.The Commissioner,
Coimbatore City Corporation,
Coimbatore - 641 001.

2.The District Collector,
Coimbatore District,
Coimbatore.

3.Manickaraj

Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus calling for the records comprised in the proceedings in Na.Ka.No.2197/2014/M.H.3 (V) dated 19.07.2014 passed by the first respondent and quash the same as illegal, arbitrary, irrational and violative of the principles of natural justice and consequently forbear the respondents, their officers, employees, agents, men or other persons claiming or acting under them from in any manner interfering with the petitioner's peaceful possession, use and enjoyment of Vinayagar temple comprised in S.F.No.355/1A in Kani Nilam Layout, situate in Saravanampatti Village, Coimbatore District.

For Petitioner .. Mr.R.Parthasarathy

For Respondents .. Mr.J.Sathyanarayanaprasad for R1
Mr.P.S.Sivashanmughasundaram,
Spl. Govt. Pleader for R2
Mr.J.Franklin for R3

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

The petitioner has come up with the writ petition seeking to quash the proceedings in Na.Ka.No.2197/2014/M.H.3 (V) dated 19.07.2014 passed by the first respondent and to forbear the respondents, their officers, employees, agents, men or other persons claiming or acting under them from in any manner interfering with the petitioner's peaceful possession, use and enjoyment of Vinayagar temple comprised in S.F.No.355/1A in Kani Nilam Layout, situate in Saravanampatti Village, Coimbatore District.

2.One Mr.M.Duraiswamy, questioning the illegality and validity of the order dated 19.07.2014 made in R.O.C.No.2197/2014/MH3 (va), came up with the writ petition in W.P.No.30943 of 2014 seeking for an identical relief to conduct enquiry after issuing proper notice to all the people in Kaani Nilam, Saravanampatti, Coimbatore. A Division Bench of this Court, after having examined all the facts of the matter, dismissed the writ petition as not maintainable. Thus, this writ petition is squarely covered by the said order and it is accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
Coimbatore City Corporation,
Coimbatore - 641 001.

2.The District Collector,
Coimbatore District,
Coimbatore.

+1cc to Mr.Franklin, Advocate Sr.20487

W.P.No.30373 of 2014

srg(11/04/2016)