

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.20439 of 2015

A. Shanmugam ... Petitioner

Vs

1. The Govt of Tamil Nadu
rep. By its Secretary
Secretariate
Fort St. George
Chennai.
2. The District Collector
Office of the Collectorate
Thiruvannamalai District.
3. The Executive officer
Polur Panchayat Union
(selection grade)
Polur 606 803
Thiruvannamalai District.
4. The Ward Councilor
12th Ward
No.1 Ponnusamy Second Street
Polur 606 803.
Thiruvannamalai District.
5. The Inspector of Police
Polur Police Station
Polur 606 803
Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to demolish/remove the illegal superstructure of the temple at Ponnusamy First Street, Polur, Thiruvannamalai District which is being carried on in the place of public water tank and restore the same to its original condition.

For petitioner : Mr.T.Mohan
for Mr.S.Anbazhagan.

For respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader
for R.R.1, 2 and 5.
Notice served on R.R.3 and 4.
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O R D E R

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

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appears on behalf of the respondents 1, 2 and 5. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. The petitioner stated to be a resident of 17 (6 A) Ponnusamy First Street, Polur, Thiruvannamalai District, has come up with this petition, seeking a direction against the authorities to demolish/remove the illegal superstructure of the temple at Ponnusamy First Street, Polur, Thiruvannamalai District.

3. Pursuant to our notice dated 24th July, 2015, it is submitted by the District Collector, Thiruvannamalai in his report dated 29th July, 2015, that the notice issued under Section 216 of the Tamil Nadu District Municipalities Act, 1920 have been served on 27th July, 2015, on the persons who are responsible for the construction of the Temple. It is further stated that the said temple was constructed without any approval or permission from the Town Panchayat Authority/the Executive officer of Polur Town Panchayat, Tiruvannamalai District under the provisions of the Act. 15 days time granted under the said Notice has expired today. Thus, the respondents are directed to take consequential action, if it is found that the said structure is illegal, unauthorised or constructed without the permission of the concerned authorities. Such an exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

4. This writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1. The Secretary
Govt of Tamil Nadu
Secretariate
Fort St. George
Chennai.
 2. The District Collector
Office of the Collectorate
Thiruvannamalai District.
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Thiruvannamalai District.
 5. The Inspector of Police
Polur Police Station
Polur 606 803
Thiruvannamalai District.
- +1 cc to Mr.S.Anbazhagan Advocate sr.42196
+1 cc to the Government Pleader High Court Madras
sr.41622

W.P. No.20439 of 2015

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