

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.27301 of 2013

and

M.P.No.1 of 2013

Adhi Peeda Parameswari
Kalaigambal Temple,
rep. By Executive Officer,
Kancheepuram (PO)
Pin - 631502

...Petitioner

Vs

1. District Collector,
Collectorate Buildings,
Kancheepuram (PO)
2. Block Development Officer
Kancheepuram Panchayat Union,
Sirukaveripakkam, Kancheepuram (TK)
3. President
Konerikuppam Panchayat
Kancheepuram (PO) & TK

...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from constructing a building for Anganvadi on the land in S.No.75 in Konerikuppam Village, Kancheepuram Taluk belonging to the petitioner temple.

For Petitioner :

Mr.P.Anbarasan

For Respondents :

Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.P.Anbarasan, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents.

2. The petitioner seeks for issuance of a Writ of Mandamus forbearing the respondents from constructing a building for Anganvadi on the land in S.No.75 in Konerikuppam Village, Kancheepuram Taluk belonging to the petitioner temple.

3. According to the petitioner, the land in question is being used by the temple for conducting festival during Navarathri and deities alight in the said land and certain rituals are performed. The petitioner opposes the move of the 2nd and 3rd respondents for constructing a building for Anganvadi in the said land. At that time, when the writ petition was entertained, the construction was almost over.

4. It is seen from the revenue records that the land in question is a Government Poramboke land and the temple was utilising the land. Therefore, the temple does not have any exclusive right to question the move of the 2nd and 3rd respondents. Therefore, the relief sought for by the petitioner cannot be granted and the writ petition is mis-conceived and the same is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The District Collector,
Collectorate Buildings,
Kancheepuram (PO)

2. The Block Development Officer
Kancheepuram Panchayat Union,
Sirukaveripakkam, Kancheepuram (TK)

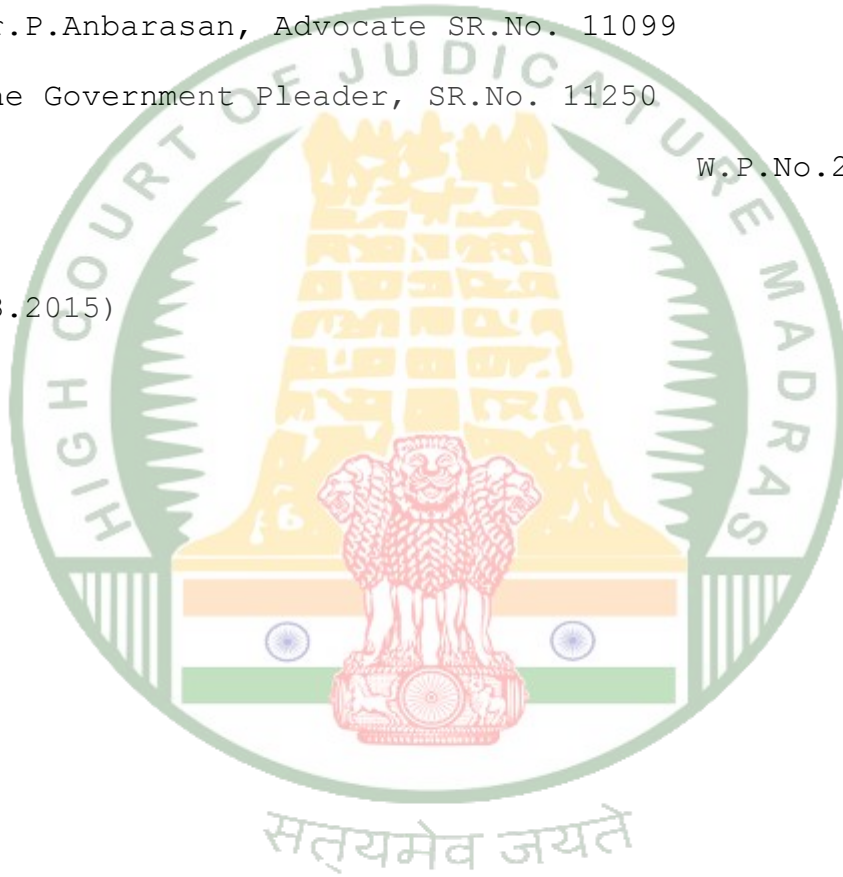
3. The President
Konerikuppam Panchayat
Kancheepuram (PO) & TK

1 CC to Mr.P.Anbarasan, Advocate SR.No. 11099

1 CC to the Government Pleader, SR.No. 11250

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BR (CO)
PSI (13.03.2015)



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