

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.12294 of 2016

A.Radhakrishnan

.. Petitioner

-vs-

- 1.The Additional Chief Secretary /
Commissioner of Land Administration,
Department of Land Administration,
Chepauk, Chennai.
- 2.The District Collector,
Salem District, Salem.
- 3.The Tahsildar,
Salem Taluk, Salem.
- 4.The Commissioner,
Hindu Religious and Charitable
Endowment, Nungambakkam,
Chennai.
- 5.The Joint Commissioner,
Hindu Religious and Charitable
Endowment, Salem.
- 6.The Executive Officer,
Arulmighu Ambalavana Swamy Temple,
Line Road, Gugai, Salem.
- 7.The Assistant Commissioner of Police,
Law and Order, Western Range,
Salem City, Salem.
- 8.The Inspector of Police,
Pallapatti Police Station,
Salem.

9.Krishnan
10.Durai
11.Rajasekaran
12.Palaniammal

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct respondents 2 and 3 to take action to remove the encroachment made by the respondents 9 to 12 and further direct respondents 7 and 8 to give proper police protection for evicting the illegal encroachment from the property of Mandapam Poramboke owned by Arulmighu Ambalavana Swamy Temple situated at Gugai, Salem.

For Petitioner : Mr.A.Radhakrishnan
Party-in-person

For Respondents : Mrs.Rita Chandrasekaran
for RR 4 to 6

: Mr.V.R.Kamalanathan, Addl.G.P.
for RR 1 to 3, 7 and 8

: Mr.Niranjana Rajagopal
for Election Commission of India,
assisted the Court.

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

A reading of the petition shows that the concerned authorities have already decided to take action against the unauthorised construction on temple land and even police assistance was offered. It is urged before us by the learned counsel for respondents 4 to 6 that the Government requires the permission of the Election Commission as there is some area being used for residential purpose.

2.Learned counsel for the Election Commission, who is present, states that if such an application is made, necessary action will be taken within one (1) week from the date of the application. Thus, if permission is granted, there would be no impediment in enforcement.

3.We take the aforesaid statement on record and dispose of the writ petition. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The Additional Chief Secretary /
Commissioner of Land Administration,
Department of Land Administration,
Chepauk, Chennai.

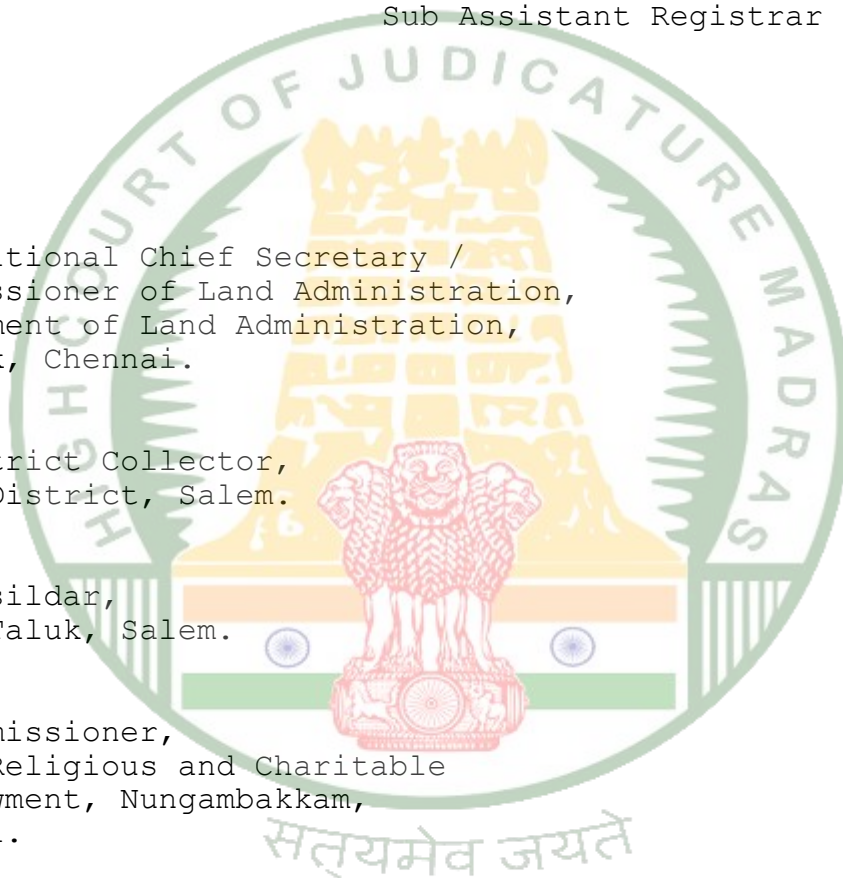
2.The District Collector,
Salem District, Salem.

3.The Tahsildar,
Salem Taluk, Salem.

4.The Commissioner,
Hindu Religious and Charitable
Endowment, Nungambakkam,
Chennai.

5.The Joint Commissioner,
Hindu Religious and Charitable
Endowment, Salem.

6.The Executive Officer,
Arulmighu Ambalavana Swamy Temple,
Line Road, Gugai, Salem.



7.The Assistant Commissioner of Police,
Law and Order, Western Range,
Salem City, Salem.

8.The Inspector of Police,
Pallapatti Police Station,
Salem.

+1cc to M/S.A.Radhakrishnan Party in Person, S.R.No.20734
+1cc to the Government Pleader, S.R.No.21563,

W.P.No.12294 of 2016

ala(CO)
srg(20/04/2016)



WEB COPY