

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.32521 of 2013

and

M.P.No.1 of 2013

Kasinathan

... Petitioner

-vs-

- 1.The District Collector,
Cuddalore District.
 - 2.The Commissioner,
Hindu Religious & Charitable
Endowments Dept.,
Manjakuppam,
Cuddalore District.
 - 3.The District Revenue Officer,
Office of District Revenue Department,
Cuddalore District.
 - 4.The Deputy Tahsildar (HQ),
Chidambaram,
Cuddalore District.
 - 5.Kumutha
 - 6.Amutha
 - 7.Vijaya
 - 8.Uthiram
 - 9.Parameswari
 - 10.Ambika
 - 11.Parasakthi
 - 12.Usha
 - 13.Latha
 - 14.Kamala
- .. Respondents
(Respondent Nos.5 to 14 impleaded as per
the order in MP.No.1/2013 in WP SR.119204/2013)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to take steps to remove the encroachments in Nandhavanam Poramboke Land comprised in Survey No.485, West Bhuvanagiri Village, Chidambaram Taluk.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.STS.Murthi
Government Pleader
assisted by
Mr.V.Shanmugasundar
Govt. Advocate for R1, 3 & 4

Mrs.Rita Chandrasekar for R2

Mr.S.Sathyaraj for R5 to R14

O R D E R

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

The petitioner seeks removal of unauthorised encroachers on Nandhavanam poramboke land comprised in S.No.485, West Bhuvanagiri village, Chidambaram Taluk.

2. The learned counsel for the HR & CE Department/respondent No.2 states that by the reason of the classification of the land, the HR & CE Department would not have any jurisdiction, even though the land is alleged to be of the temple. It is submitted that the power would vests with the District Collector and the Tahsildar.

3. We direct the Deputy Tahsildar, Chidambaram/respondent No.4 to carry out the survey of the area and submit a report to the District Collector/respondent No.1 within one month of the receipt of this order. On receipt of the report, if the encroachments have been found, respondent No.1 will take action in accordance with law after notice to all concerned within a maximum period of two months of the report. The result of the aforesaid be informed to the petitioner in writing.

4. The writ petition, accordingly, stand disposed of. No costs. Consequently, M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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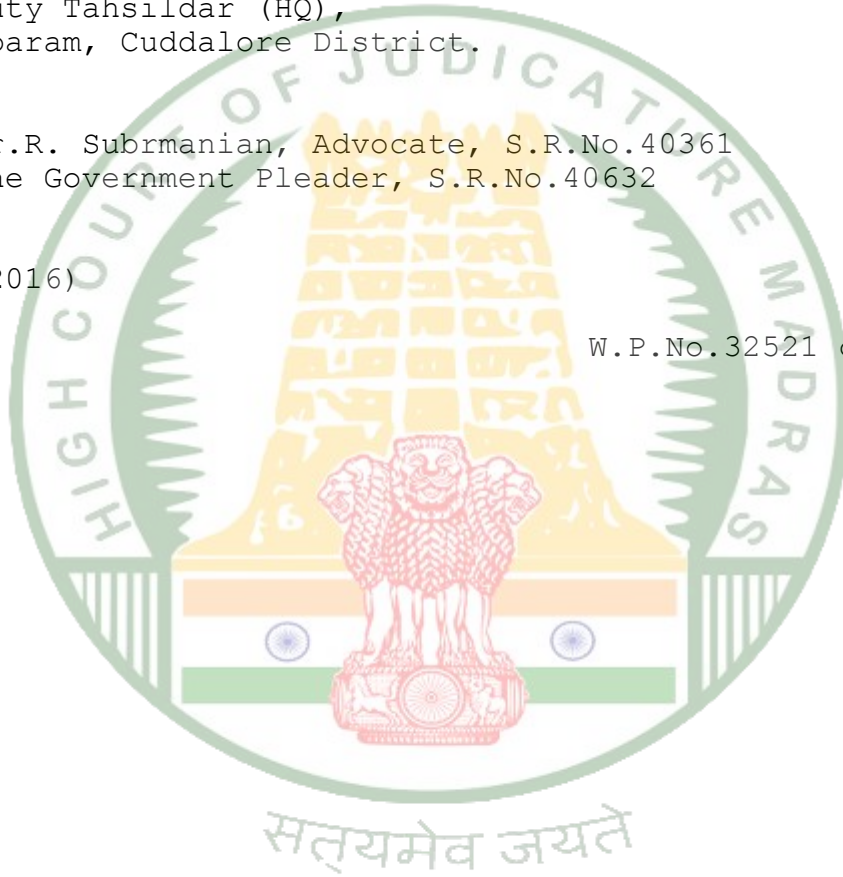
To

- 1.The District Collector,
Cuddalore District.
- 2.The Commissioner,
Hindu Religious & Charitable Endowments Dept.,
Manjakuppam, Cuddalore District.
- 3.The District Revenue Officer,
Office of District Revenue Department,
Cuddalore District.
- 4.The Deputy Tahsildar (HQ),
Chidambaram, Cuddalore District.

+1cc to Mr.R. Subrmanian, Advocate, S.R.No.40361
+1cc to the Government Pleader, S.R.No.40632

MSM(CO)
EU(11/07/2016)

W.P.No.32521 of 2013



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