

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.33465 of 2013

and

M.P.O. 1 of 2013

C.M.Sivababu

.. Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. By its Secretary to State,
Dept. of Revenue, Fort St. George,
Chennai.

2.The District Collector,
Collectorate, Vengikkal,
Tiruvannamalai.

3.The Commissioner,
Tiruvannamalai Municipality,
Sannadhi Street,
Tiruvannamalai.

4.The Tahsildar,
Taluk Office, Tiruvannamalai.

5.G.Samshad

6.S.Kader Sherif

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 4 to remove the encroachments on the Arulmigu Mariamman Temple Pond, at Ward No.4, Block 28 in Town Survey No.1761 at Tiruvannamalai Town, restore the pond to its original condition and put it for public use in view of the petitioner's representation dated 07.11.2013.

For Petitioner : Mrs.Karthikaa Ashok
For Respondents : Mr.V.Shanmugasundar
1,2 & 4 Govt. Adv.
For Respondents 3, 5 & 6: No appearance for others

* * * * *

O R D E R

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

The petitioner alleges that there existed a temple pond on the eastern side of Arulmigu Mariamman Temple at Ward No.4, Block 28, in Town Survey No.1761 at Tiruvannamalai Town, where 'Theerthavari' ritual used to be performed. It is alleged that rubbish and wastes started getting dumped in the pond and slowly the pond has been levelled. The fifth and sixth respondents are alleged to be the encroachers who have put up construction on the same.

2.None appears for the private respondents, despite service.

3.Learned Government Advocate appearing for the first, second and fourth respondents states that the fourth respondent / Tahsildar will cause an inspection to be made of the area and in case, the allegations of the petitioner are found to be correct, action in accordance with law will be taken, after notice to all concerned, within a maximum period of three (3) months from the date of receipt of the order.

4.The aforesaid statement is taken on record and the fourth respondent will remain bound by the same.

5.Writ petition, accordingly, stands disposed of in terms aforesaid. No costs. Consequently, M.P.No.1 of 2013 stands closed.

sra

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1.The Secretary to Govt.
State of Tamil Nadu,
Dept. of Revenue, Fort St. George,
Chennai.

2.The District Collector,
Collectorate, Vengikkal,
Tiruvannamalai.

3.The Commissioner,
Tiruvannamalai Municipality,
Sannadhi Street,
Tiruvannamalai.

4.The Tahsildar,
Taluk Office, Tiruvannamalai.

+ 1 cc to Mr.T.Dhanasekaran, Advocate SR 42712

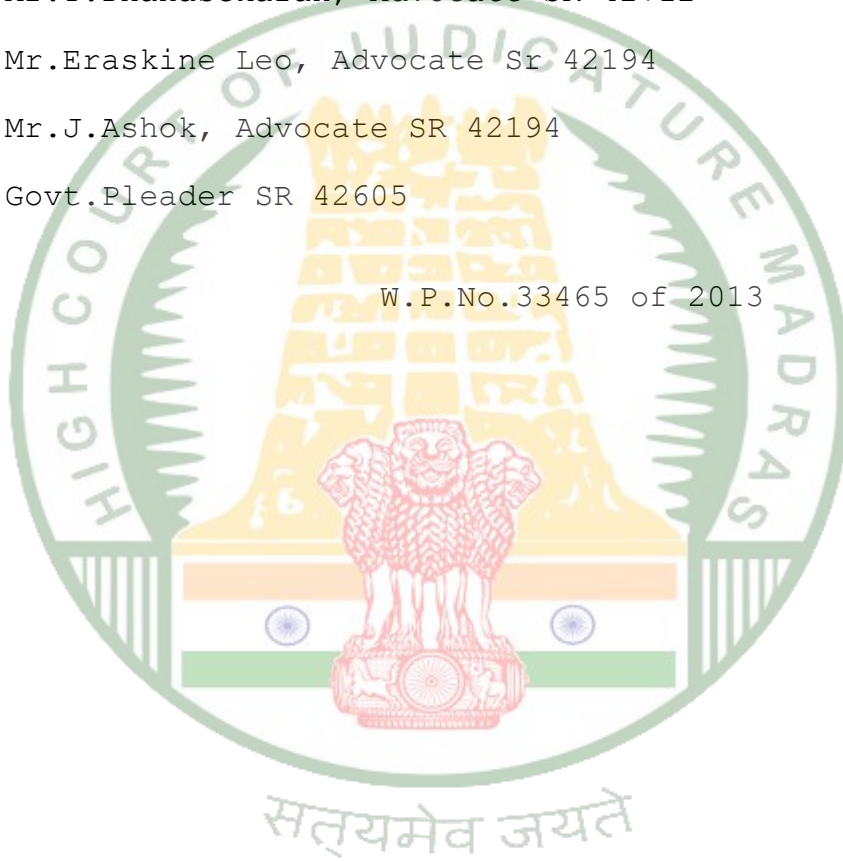
+ 1 cc to Mr.Eraskine Leo, Advocate Sr 42194

+ 1 cc to Mr.J.Ashok, Advocate SR 42194

+ 1 cc to Govt.Pleader SR 42605

rsy(co)
prk4/8

W.P.No.33465 of 2013



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