

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.25125 of 2013

and

M.P.No.1 of 2013

A.Govindaraj

... Petitioner

-Vs-

1. The District Collector,
Nagapattinam District,
Nagapattinam.
2. The Tahsildar,
Taluk Officer, Seerkazhi,
Nagapattinam District.
3. The Commissioner,
Seerkazhi Municipality,
Seerkazhi,
Nagapattinam District.
4. Pandian
5. Sathyanathan
6. Ramachandran

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents from in any way constructing Sri Pambalamman Temple in the lands used as Public Street situate at S.F.No.378 A/9 measuring about 0.17 cents situate at Kovilan Street, Seerkazhi Town.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.V.R.Kamalanathan
Additional Government Pleader
for RR 1 and 2
: No appearance
: Mr.A.Muthukumar for RR 4 to 6

O R D E R

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

The grievance of the petitioner is that a temple has been constructed by private respondents 4 to 6 in land measuring 0.17 cents in S.F.No.378 A/9 at Kovilan Street, Seerkazhi Town, classified as 'Nilavial Street', which is owned by the third respondent / Municipality.

2.The petitioner has inter alia made a representation against the same by a lawyer's notice dated 21.08.2013.

3.No counter-affidavits have been filed.

4.We, thus, call upon the third respondent / Municipality to cause an inspection to be made of the area with the assistance of the revenue authorities to decide whether there is any encroachment on the land or not and if encroachment is found, to proceed against the same in accordance with law, after notice to all concerned. The task be completed within three (3) months from the date of receipt of the order.

5.Writ petition is, accordingly, disposed of. No costs. Consequently, M.P.No.1 of 2013 is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

sra

To

1. The District Collector,
Nagapattinam District,
Nagapattinam.
2. The Tahsildar,
Taluk Officer, Seerkazhi,
Nagapattinam District.

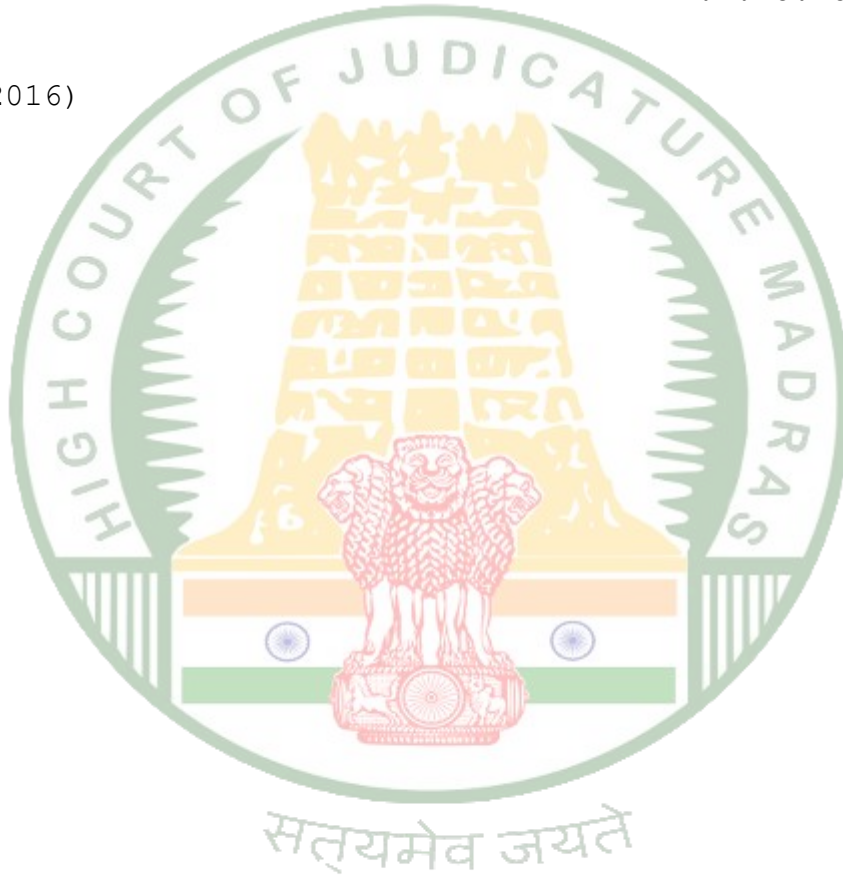
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3. The Commissioner,
Seerkazhi Municipality,
Seerkazhi, Nagapattinam District.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.42353
+1cc to Mr.A.Muthukumar, Advocate, S.R.No.42198
+1cc to Mr.S.Pattabiraman, Advocate, S.R.No.42443
+1cc to the Government Pleader, S.R.No.42607

W.P.No.25125 of 2013

GJ(CO)
CA(09/08/2016)



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