

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.30520 of 2016

P.Vasu

... Petitioner

-Vs-

1. The Government of Tamil Nadu
represented by its Secretary to Government
Highways Department
Fort St.George
Chennai 600 009
2. The Commissioner
Hindu Religious & Charitable Endowment
Administration Department
Nungambakkam
Chennai 600 034
3. The District Collector
Salem District
Salem 636 001
4. The Superintendent of Police
Salem District
5. The Revenue Divisional Officer
Attur Taluk, Salem District
6. The Deputy Superintendent of Police
Attur Taluk, Salem District
7. The Assistant Commissioner
Hindu Religious & Charitable Endowment
Salem
8. The Deputy Director of Town and Country Planning
Salem
9. The Commissioner
Attur Municipality
Attur Taluk & Post
Salem District

10.The Assistant Divisional Engineer
Attur Taluk & Post
Salem District

11.The Tahsildar
Attur Taluk,
Salem District

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondents not to evicting the petitioner from the Tea shop until the allotment of alternative site for Pillayar Temple situated in Ranipettai, Attur Taluk, Salem District, as per order dated 07.07.2014 in W.P.No.28285 of 2013 based on the petitioner representation dated 08.08.2016 and reminder representation dated 16.08.2016.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader
for R1, R3 to R6 and R8 to R11

Mr.M.Maharaja
Special Government Pleader (HR&CE)
for R2 & R7

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader is directed to take notice for the respondents 1, 3 to 6 & 8 to 11. Mr.M.Maharaja, learned Special Government Pleader (HR&CE) is directed to take notice for the respondents 2 & 7.

2. Heard the learned counsel for the petitioner.

3. According to the petitioner, he is running a tea stall in the Pillayar Temple situated at Ranipettai, Attur Taluk, Salem District for more than 30 years and also paying the rental to the temple authorities. The grievance of the petitioner is that the respondents are attempting to shift the temple to an alternative place and also trying to evict the petitioner, without following the due process of law, affecting his livelihood. In this regard, he has made a representation to the respondents on 8.8.2016 followed by the reminder on 16.8.2016. Since the said representation has not been considered, he is before this Court seeking for a mandamus forbearing the respondents not to evict the petitioner from the tea shop until

the allotment of alternative site for Pillayar Temple situated in Ranipettai, Attur Taluk, Salem District, as per order dated 07.07.2014 in W.P.No.28285 of 2013.

4. It is for the respondents to consider the representation of the petitioner and to do the needful in accordance with law within a period of two months from the date of receipt of a copy of this order. Till a decision is being taken, status quo shall be maintained. With this observation, the writ petition stands disposed of. Consequently, W.M.P.No.26456 of 2016 is closed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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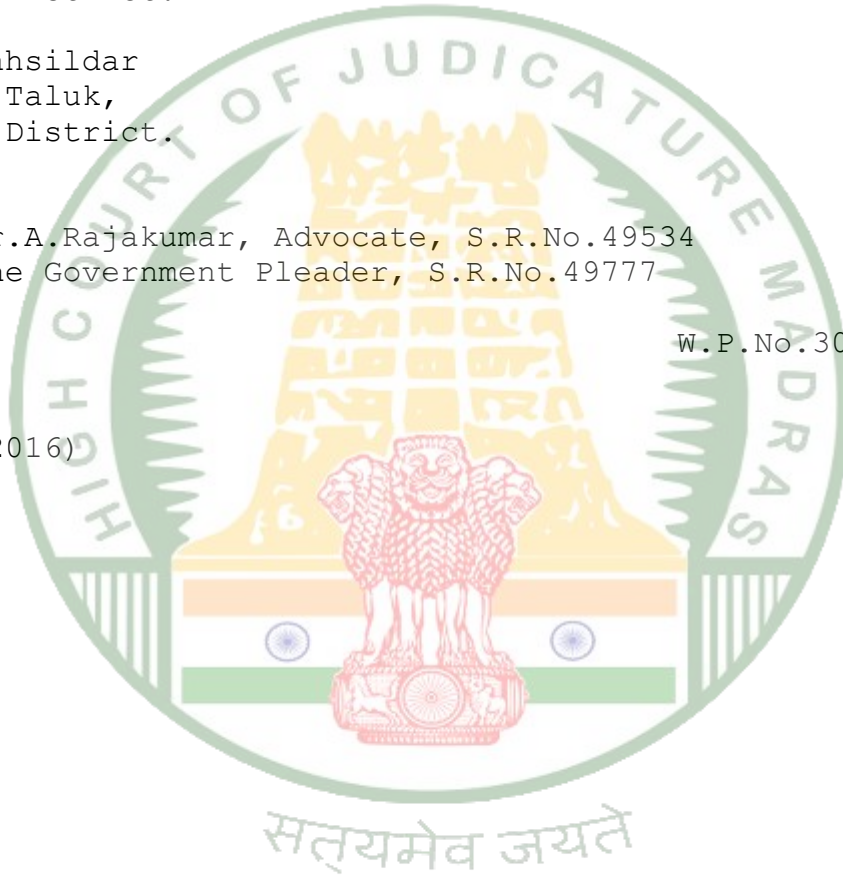
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Attur Taluk,
Salem District.

+1cc to Mr.A.Rajakumar, Advocate, S.R.No.49534
+1cc to the Government Pleader, S.R.No.49777

W.P.No.30520 of 2016

PPA (CO)
CA(22/09/2016)



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