

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.43945 of 2016

and

W.M.P.No.37779 of 2016

M.Ramakrishnan,
Trustee of Senthil Murugan Temple,
T.H.Road,
Kodungaiyur,
Chennai-600 118. ... Petitioner

-vs-

- 1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
- 2.The Collector,
Chennai Collectorate,
Singaravelan Maligai, Rajaji Salai,
Chennai-600 001.
- 3.The Zonal Officer,
Zonal IV, Corporation of Chennai,
266, T.H.Road, Tondiarpet,
Chennai-600 021.
- 4.The Tahsildhar,
Tondiarpet Taluk,
Chennai-600 003.
- 5.The Regional Deputy Commissioner (North),
Basin Bridge,
Chennai-600 021. .. Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the third respondent to measure the temple property in S.No.181/2 of Village 31, Kodungaiyur with the help of the Head Surveyor along with all the local concerned authorities and have to take a decision whether the temple is established and constructed in the road or Battai or salai or whether the writ petitioner have established the temple in his Patta land or not, on the basis of the representation dated 24.11.2016 given to the respondents on a date fixed by this Hon'ble Court.

For Petitioners : Mr.P.Muthukumar

For Respondents : Mr.R.Arunmozhi for R1

Mr.M.K.Subramanian

Govt. Pleader for R2 to R5

ORDER

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

On hearing the learned counsel for parties, it appears that the grievance of the petitioner is that though he is a patta holder of the land, he is about to be evicted ostensibly on the ground of encroachment. It is the say of the petitioner that no measurement has been done with notice to him.

2. In order to resolve the controversy, we consider it appropriate that the Tahsildar, Tondiarpet Taluk/respondent No.4 will carry out demarcation at site on 3rd January, 2017 at 2.30 P.M. and the petitioner can participate in the proceedings along with his documents. In case any encroachment is found, then action in accordance with law be taken. This will obviate any requirement of notice to the petitioner.

3. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.37779 of 2016 is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

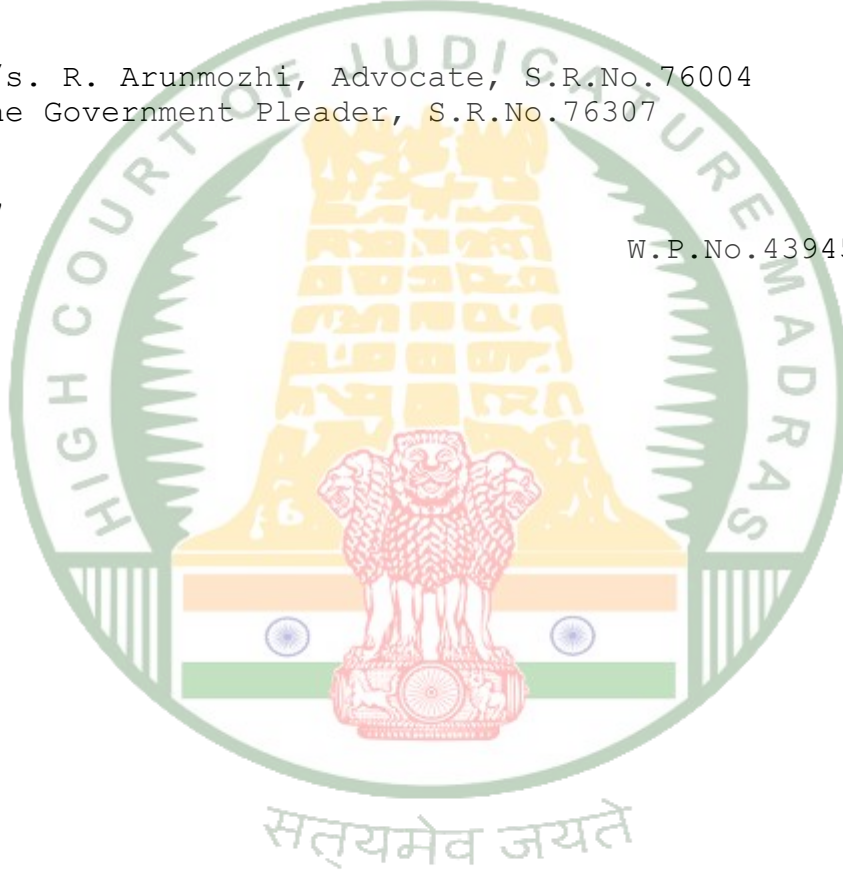
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Chennai-600 021.

+1cc to M/s. R. Arunmozhi, Advocate, S.R.No.76004
+1cc to the Government Pleader, S.R.No.76307

RK(CO)
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W.P.No.43945 of 2016



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