

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22113 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed to declare the inaction of respondents 1 to 3 in not initiating any action under law against the 4th respondent and from restraining it from making unauthorized and illegal constructions and not taking steps to demolish the said structures in the land belonging to the 5th respondent, as illegal and arbitrary and also direct respondents 2 and 3 to cause enquiry into affairs of the 4th respondent committee management and its functioning and take suitable action.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner's family are managing the 5th respondent temple and the petitioner lodged the present complaint about the illegal demolition and construction taken up by the 4th respondent in the property belonging to the 5th respondent. The main grievance of the petitioner is that even though he lodged the present complaint to the authorities concerned, they have not conducted any enquiry regarding the complaint and the allegation made by the petitioner.

Learned counsel for the petitioner submitted that the petitioner has sought information under the Right to Information Act from respondents 1 to 3 with respect to grant of permission for new construction and for demolition of old structures.

Counter affidavit is filed on behalf of the respondents 4 and 5.

Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, the writ petition is disposed of with the following direction:

The 2nd respondent, or a person authorised by the 2nd respondent, is directed to conduct enquiry on the basis of the complaint given by the petitioner and dispose of the same in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order. The interim order granted on 08.07.2016 in this writ petition stands vacated.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

Date: 20th October, 2016

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RAJA ELANGO,J

