

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.5236 of 2017

V.Pasavaraj

.. Petitioner

Vs.

1. The Commissioner
Chidambaram Municipality
Chidambaram
Cuddalore District.

2. The Tahsildar
Chidambaram Taluk
Chidambaram
Cuddalore District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 1st respondent to implement the order of the 2nd respondent in Na.Ka.No. A1/2217/2016, dated 12.12.2016 within a stipulated period.

For Petitioner : Mr.T.Saravanan

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader

ORDER

(Order of the Court was made by the Acting Chief Justice)
Mr.R.Vijayakumar, learned Additional Government Pleader
takes notice for the respondents.

2. Heard the learned counsel for the parties.

3. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the 1st respondent to implement the order of the 2nd respondent in Na.Ka.No. A1/2217/2016, dated 12.12.2016 within a stipulated period.

4. The petitioner is a trustee of Guru Namachivaya Moorthy Mutt at Chidambaram Town. Several encroachments were made on land belonging to the Mutt. The petitioner made representation to the second respondent to remove those encroachments. The second respondent, by proceedings dated 12.12.2016, directed the first respondent to remove the encroachments. However, till date the encroachments have not been removed. Hence, the present writ petition.

5. In other words, the petitioner has filed this writ petition seeking to enforce the order passed by the second respondent/ Tahsildar. If the first respondent did not act upon the directions of the second respondent, it is for the petitioner to approach the second respondent and police authorities to take steps to remove the encroachment. The petitioner also would take steps to get the temple property fenced to keep it free from encroachments. In our considered opinion, the writ petition is misconceived.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.5556 of 2017 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To

1. The Commissioner
Chidambaram Municipality
Chidambaram
Cuddalore District.

2. The Tahsildar
Chidambaram Taluk
Chidambaram
Cuddalore District.

+1cc to Mr.Saravanan, Advocate, S.R.No.13539
+1cc to the Government Pleader, S.R.No.14157

MP(CO)
RS(17/03/2017)

W.P.No.5236 of 2017