

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

W.P.No.14155 of 2004
and WPMP.No.16713 of 2004

K.A.Murugan

... Petitioner

Vs.

The Thakkar,
Arulmighu Poothakaliamman Tirukoil,
Poothapadi, Bhavani Taluk,
Erode District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus, forbearing the respondent from evicting the petitioner forcibly from his house.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.R.Marudhachalamoorthy

O R D E R

This petition has been filed to forbear the respondent from evicting the petitioner forcibly from his house.

2. The learned counsel for the respondent would submit that he has no instructions from the respondent.

3. The learned counsel for the petitioner submitted that the petitioner may not be evicted from the house forcibly and the Government has constructed the house of the petitioner in his patta land under the Indira Memorial House Scheme as per the instructions issued by the Assistant Commissioner of H.R & C.E Department, Erode. The learned counsel has also stated that the petitioner was suspended from the post of Poojari in the year 2003. With regard to the allotment of the residence along with family photo, the petitioner's name is shown in serial No. 11. However, the petitioner has not produced any document to show that petitioner has been given Patta.

4. Since the petitioner is now continuing as Poojari, pursuant to the interim order of this court and pursuant to the communication of H.R & C.E Department, Erode dated 14.10.2003, the petitioner shall be permitted to reside in the place. It is open to the respondent to take appropriate action in accordance with law with regard to evicting the petitioner.

5. The writ petition is disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

bsm/pvs

To

The Thakkar,
Arulmighu Poothakaliamman Tirukoil,
Poothapadi, Bhavani Taluk,
Erode District.

+1 CC to Mr.C.Prakasam, Advocate sr 71884.

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GJ(CO)
sp(31/10/2017)

सत्यमेव जयते

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