



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15085 of 2015

R.Pitchai

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Executive Engineer,
Public Works Department,
(Water Resources Organisation)
Gundaru basin Division,
Tallakulam, Madurai - 2.

3.The Assistant Executive Engineer PWD (WRO)
GUNDARU Basin Sub Division,
Kariapatty, Virudhunagar District.

4.The Tahsildar,
Thiruchuli Taluk,
Virudhunagar District.

5.Chandran

6.Santhanam

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachments made in Tamaraikulam Kanmai situated in S.No.67 of Thiruvadanallur Village, Thiruchuli Taluk, Virudhunagar District by considering the petitioner's representation dated 02.02.2015, within the time frame stipulated by this Court.

For Petitioner : Mr.S.Prem Kumar
for Mr.M.Suresh Kumar

For Respondents : Mr.M.Govindan, Spl.G.P.
For RR1 to 4

Mr.G.Rajaraman for
Mr.M.C.Swamy for RR5 and 6

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner seeks removal of the encroachments made in Thamaraiikulam Kanmai situated in S.No.67 of Thiruvidanallur Village, Thiruchuli Taluk, Virudhunagar District. He has given a representation dated 02.02.2015.

2.The second respondent has filed his counter affidavit stating that the temple in question is a very old one and that it has been in existence since time immemorial. The writ petitioner would however allege that a Kalyana Mandapam and Kalai Arangam have also been constructed. If that be so, the same shall be removed after giving notice to the concerned parties. This direction to remove the encroachment is in respect of Kalyana Mandapam and Kalai Arangam, and not relating to temple.

3.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

+1cc to M/S.R.Murali, Advocate SR.No. 78086

+1cc to M/S.M.C.Swamy, Advocate SR.No. 78278

+1cc to Special Government Pleader, SR.No. 78619

W.P (MD) No.15085 of 2015

11.09.2017

skm/arul

JM/JC/SAR 2/22.09.2017/2P/4C