



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.03.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.1376 of 2017

O.Ukirapandian

... Petitioner

-vs-

1.The Corporation of Madurai,
rep.by its Commissioner,
Aringnar Anna Maligai,
Madurai - 625 002.

2.The Member Secretary,
Local Planning Authority,
Corporation Building Complex,
III Floor,
Aringnar Anna Maligai,
Madurai - 625 002.

3.Thenindiya Vellalar Uravin Murai Sangam,
rep. by its Chairman,
Sri Iyyanar Sri Ponmuniyandi Kovil Valagam,
Sampatipuram Main Road,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents 1 to 2 to remove the unauthorized Construction made by the respondent No.3 namely Thenindiya Vellalar Uravin Murai Sangam in Survey No.93 at Sempattipuram Main Road, Ponmeni Village, Madurai South, Madurai District.

For Petitioner	: Mr.T.Lajapathi Roy
For R - 1	: Mr.R.Murali
For R - 2	: Mr.T.S.Mohammed Mohideen Additional Government Pleader

O R D E R

[Order of the Court was made by **A.SELVAM, J.**]

<https://hcservices.ecourts.gov.in/hcservices/> This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to remove unauthorised construction made by the third respondent in Survey No.93, Ponmeni Village, Madurai District by way of issuing a Writ of Mandamus.



2.The learned counsel appearing for the petitioner has contended that in Ponmeni village, Survey No.93 has been classified as a temple, wherein, the third respondent has put up a building unauthorisedly. Under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

3.The learned Additional Government Pleader appearing for the second respondent has also fairly conceded to the effect that in Ponmeni village, Survey No.93 has been classified as a temple.

4.Considering the fact that Survey No.93 has been classified as a temple and also considering that the third respondent has put up unauthorized construction, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed without cost. The respondents 1 and 2 are directed to remove encroachments which are in existence in Survey No.93, Ponmeni village under due process of law within a period of two months.

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Commissioner,
Corporation of Madurai,
Madurai-2
- 2.The Member Secretary,
Local Planning Authority,
Corporation Building Complex,
III Floor,
Aringnar Annal Maligai,
Madurai - 625 002.

+1 cc to SPECIAL GOVERNMENT PLEADER, SR.NO:13743
+1 cc to M/R.T.LAJAPATHI ROY, Advocate, SR.NO:13636
+1 cc to M/R.R.MURALI, Advocate, SR.NO:14208

MJ
SVA/SKN/SAR2/14.03.2017/2P/6C