



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.18198 of 2017

A.John Michael Raj

.. Petitioner

Vs.

1.The Divisional Railway Manager,
South Railway, Madurai Division,
Madurai.

2.The Station Master,
Kurumbur Railway Station,
Kurumbur, Tiruchendur Taluk,
Thoothukudi District.

3.The Estate Officer, [Southern Railway],
Divisional Office, Works Branch,
Madurai.

4.The District Collector,
Thoothukudi District,
Thoothukudi.

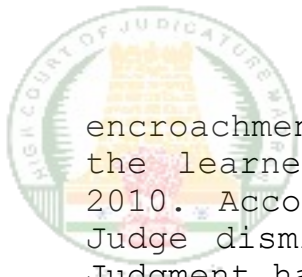
5.T.Murugesha Pandian

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take immediate action for the removal of the illegal temple and the idol installed within the premises of Kurumbur Railway Station, Kurumbur, Tiruchendur Taluk, Thoothukudi District, pursuant to the eviction order passed by the third respondent.

For petitioner	: Mr.R.Maheswaran for Mr.G.Prabhu Rajadurai
For respondents 1 to 3	: Mr.S.Manoharan Standing Counsel
For Respondent No.4	: Mr.T.S.Mohammed Mohideen Additional Government Pleader

O R D E R



encroachment. The fifth respondent challenged the proceedings before the learned Principal District Judge, Tuticorin in C.M.A.No.12 of 2010. According to the petitioner, the learned Principal District Judge dismissed the Civil Miscellaneous Appeal for default and the Judgment has become final.

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2. Since the matter was taken up before the Civil Court, we do not find any reason to issue a Writ of Mandamus, as prayed for by the petitioner. It is always open to the respondents 1 to 4 to enforce the order passed by them earlier, in case there is no legal bar for such execution.

3. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To:

1.The Divisional Railway Manager,
South Railway, Madurai Division,
Madurai.

2.The Station Master,
Kurumbur Railway Station,
Kurumbur, Tiruchendur Taluk,
Thoothukudi District.

3.The Estate Officer, [Southern Railway],
Divisional Office, Works Branch,
Madurai.

4.The District Collector,
Thoothukudi District, Thoothukudi.

+1cc to Mr.G.PRABHU RAJADURAI Advocate in SR. No. 81178

NB

JS/SKN.RSK/SAR.2/11.10.2017/2P-6C

ORDER MADE IN
W.P. (MD) No.18198 of 2017
22.09.2017