



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.8553 of 2017

The Idol of Arulmighu Mariamman,
Samayapuram, Trichy, rep. by its
Executive Officer/Joint Commissioner,
K.Thennarasu

.. Petitioner

Vs.

1.The Divisional Engineer,
State Highways, Trichirappalli.

2.The Executive Officer,
Samayapuram - Kannanaoor Town Panchayat,
Samayapuram, Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to remove the encroachments around Samayapuram Mariyamman Temple and in the Road Connecting the Temple from National Highways.

For Petitioner : Mr.K.Govindarajan

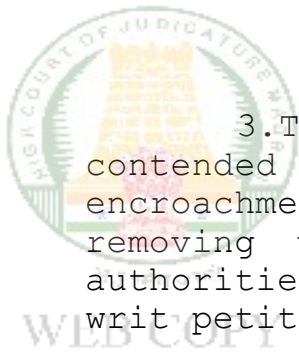
For Respondent No.1 : Mr.M.Govindan
Special Government Pleader.

ORDER

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

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to remove encroachments mentioned in the petition, by way of issuing a writ of mandamus.

2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the first respondent. Considering the nature of the relief sought in the petition, notice need not be sent to the second respondent.



3.The learned counsel appearing for the petitioner has contended that in and around Samayapuram Mariyamman Temple lot of encroachments are in existence and further for the purpose of removing the same, a representation has been given, but the authorities have not taken proper steps and therefore the present writ petition has been filed.

4.The main contention putforth on the side of the petitioner is that in and around Samayapuram Mariyamman Temple lot of encroachments are in existence.

5.Considering the main contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents 1 and 2 are directed to conduct proper survey and if there is any encroachment directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

1.The Divisional Engineer,
State Highways,
Trichirappalli.

2.The Executive Officer,
Samayapuram Kannanaoor Town Panchayat,
Samayapuram, Trichy District.

+One cc to Mr.K.Govindarajan, Advocate, SR.No.55305

+One cc to The Special Government Pleader, SR.No.55508

smn

RL/5C/2P/JC/SAR4/5.5.2017