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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.07.2017
CORAM:

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

W.P(MD)No.11164 of 2013

R.Kumaresan .. Petitioner

Vs.

1.The Chief Secretary,
Government of Tamil Nadu,
Chennai-600 009.

2.The Home Secretary,
Government of Tamil Nadu,
Chennai-600 009.

3.The Director General of Police,
Government of Tamil Nadu,
Chennai-600 004.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Thoothukudi-2.

5.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Thoothukudi-2.

6.Additional Personal Assistant (Land),
to the District Collector,
Thoothukudi-2.

7.The Revenue Divisional Officer,
Thiruchendur,
Thiruchendur District.

8.Superintendent of Police,
Thiruchendur,
Thoothukudi District.

9.Tahsildar,
Sathankulam Taluk,
Sathankulam,
Thoothukudi District.

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10.The Executive Officer,
Sathankulam Town Panchayat,
Sathankulam,
Thoothukudi District.

11.Dhanalakshmi
12.C.Rajapandi Nadar
13.Anandha Padmanaban
@ Anandha Maharajan
(R11 to R13 impleaded as per Order dated 12/8/2013 in MP(MD)No.1/2013) .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 9th respondent herein to take action as per the order dated 08.08.2012 through Na.Ka.No.2379/12/Aa/2-1 issued by 4th respondent which was taken through the Peace-Committee meeting held on 23.09.2011 and direct the 9th respondent to complete his promise within the stipulated time without causing delay to demolish the encroachment wall, a temple named Arulmigu Muthumariyamman Thirukovil is situated at Nadar Street, Thatchamozhi, Sathangulam Taluk, Thoothukudi District is being a great danger to the road users within stipulated time by this Honble Court.

For petitioner :No appearance
For Respondents 1 to 10 : Mr.T.S.Md.Mohideen
Additional Government Pleader
For Respondents 11 to 13 : No appearance

O R D E R
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[Order of the Court was made by G.R.SWAMINATHAN, J.]

The writ petitioner seeks direction for directing the 9th respondent to take action as per the decision taken in a Peace-Committee Meeting held on 23.09.2011.

2.Such a prayer cannot be granted in Writ proceedings. This is because a Peace Committee Meeting does not have statutory force. However, it is for the authority to take action as per law, if on survey, it is found that there is any encroachment, as alleged.

3.with the above observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(C.O)

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Sub-Assistant Registrar

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To:

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Sathankulam, Thoothukudi District.

+One cc to The Special Government Pleader, SR.No.68401

rj2/vsg

RL/12C/3P/JC/SAR1/9/8/2017 ORDER MADE IN

W.P(MD)No.11164 of 2013
25.07.2017

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