

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.3179 of 2019
and W.M.P.No.3436 of 2019

Pon.Thangavelu ... Petitioner

-vs-

1.The State of Tamilnadu,
Rep. by its Secretary to Govt.,
Revenue Department,
St. George Fort, Chennai 600 009.

2.The Commissioner,
Corporation of Chennai,
Chennai 600 003.

3.The District Collector,
Office of the Collectorate,
Chennai District, Chennai.

4.The Thasildhar,
Sholinganallur Taluk,
Injambakkam, Chennai 600 097.

5.The Inspector of Police (L&O),
J-8, Neelanakara Police Station,
Chennai 600 115.

6.V.Annamalai
7.G.Annadurai

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 4 to consider petitioner's representation dated 22.03.2018 and further direct to follow due process of law as provided under provisions of Tamil Nadu Protection of Land Encroachment Act before demolishing the temple Vaiyapuri

Vinayagar Temple situated in Hanuman Colony, Injambakkam, Chennai 600 115 in Survey No.234 as mentioned in Injambakkam Village.

For Petitioner : Mr.P.Ravishankar Rao, for
Mr.A.P.Suryaprakasam

For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate for RR 1, 3 to 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Mr.S.Kamalesh Kannan, learned Government Advocate, takes notice on behalf of respondent nos.1 and 3 to 5.

2.The case of the petitioner is that he was issued with a notice under Section 7 and thereafter, a notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

3.The learned counsel for the petitioner makes a categorical statement that he is not pressing the prayers in the present writ petition and he is only seeking liberty to prefer an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, against the notice issued to him under Section 6 of the said Act.

4.In view of the above, the petitioner is granted liberty to prefer an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, to the concerned authority, within a period of ten days from today. If the appeal is preferred within ten days, the concerned authority to deal with the same in accordance with law.

The writ petition is disposed of with the above direction. No costs. Consequently, W.M.P.No.3436 of 2019 is closed.

Sd/-

Assistant Registrar (CS-VIII)

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Sub Assistant Registrar

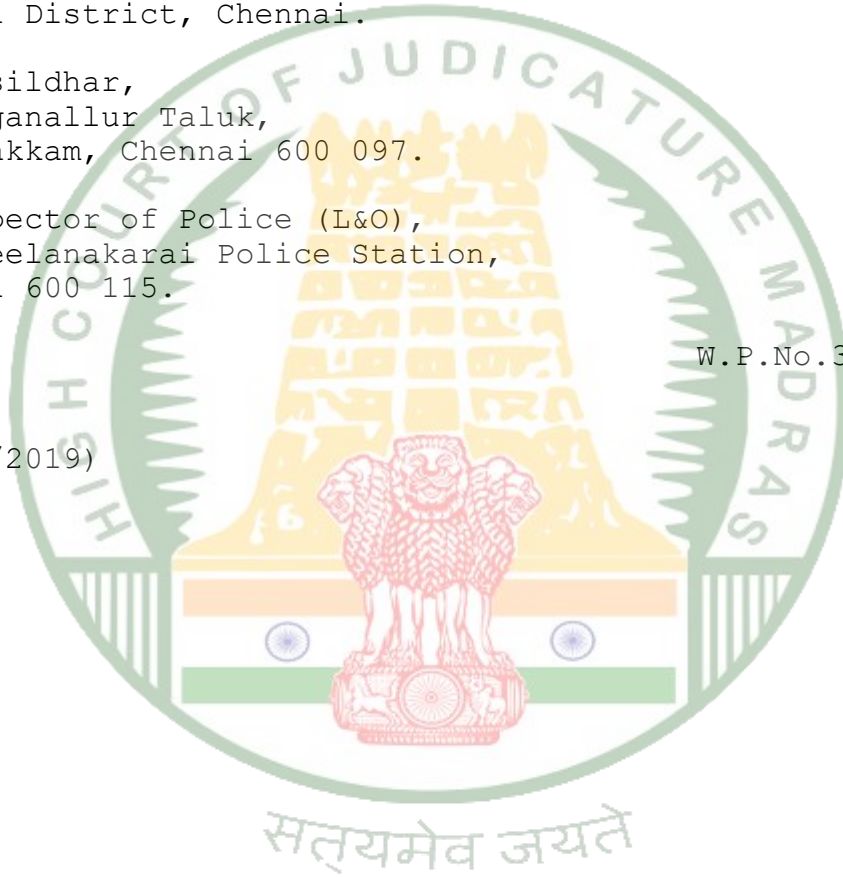
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To

- 1.The Secretary to Govt. of Tamilnadu,
Revenue Department,
St. George Fort, Chennai 600 009.
- 2.The Commissioner,
Corporation of Chennai,
Chenani 600 003.
- 3.The District Collector,
Office of the Collectorate,
Chennai District, Chennai.
- 4.The Thasildhar,
Sholinganallur Taluk,
Injambakkam, Chennai 600 097.
- 5.The Inspector of Police (L&O),
J-8, Neelanakarai Police Station,
Chennai 600 115.

W.P.No.3179 of 2019

SSP (CO)
GMY (06/02/2019)



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