

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.3782 of 2016
and W.M.P.No.3133 of 2016

The Deity of
Sri Dhrobathai Amman Koil
Near Easayana Madam
rep. by its Dharmakartha at present
A.Kathirvelu
S/o.Arumugam
Door No.29-E, 11th New Street,
Thiruvannamalai Town and Taluk,
Thiruvannamalai District. Petitioner

Vs.

1. Thiruvannamalai Municipality
Rep. by its Municipal Commissioner,
Thiruvannamalai.
2. The District Collector,
Thiruvannamalai District,
Thiruvannamalai. Respondents

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Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the respondents from interfering and transgressing into the property of the petitioner either by dispossessing the petitioner from the area earmarked as "Mithikalam" comprised in S.No.85/1, situated at Thiruvannamalai Taluk located within Ward No.1, Block No.3, Thiruvannamalai Town and Municipality and further to administer the appropriate procedure settled as due process to acquire and obtain the private land of the petitioner temple by providing a fair opportunity to the petitioner to place the objections to defend the proceedings.

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For Petitioner : Mr.P.G.Thiyagu

For Respondents : Mr.S.Pattabiraman,
Government Advocate

O R D E R

The petitioner seeks a writ of Mandamus forbearing the respondents from interfering and transgressing into its property by dispossessing the petitioner from the area earmarked as "Mithikalam" comprised in S.No.85/1, situated at Thiruvannamalai Taluk located within Ward No.1, Block No.3, Thiruvannamalai Town and Municipality and follow the due process of law to acquire and obtain the private land of the petitioner temple by providing a fair opportunity to the petitioner to place the objections to defend the proceedings.

2. On instructions, learned counsel for the Municipality submitted that the proposal to acquire the property or construct the public utilities was dropped and as on today, there is no such proposal, as alleged by the petitioner.

3. In view of the said submission, the apprehension of the petitioner does not survive. Accordingly, recording the said submission, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Municipal Commissioner,
Thiruvannamalai Municipality
Thiruvannamalai.

2. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

+1 cc to the Government Pleader, S.R.No.17009

W.P.No.3782 of 2016

PM(CO)
SSM(27/03/2019).