



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

W.P.No. 32756 of 2019
and W.M.P.No. 33181 of 2019

Periyasamy (Viruman) Kovil
Through its Secretary,
Devendra Street, Karumapuram,
Tiruchengode Taluk,
Namakkal District - 637 302.

... Petitioner

-vs-

1.The District Collector
Namakkal District,
Namakkal District.

2.The Revenue Divisional Officer,
Tiruchengodu Taluk,
Namakkal District.

3.The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

4.The Revenue Inspector,
Tiruchengode Taluk,
Namakkal.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct enquiry on the objections of the petitioner dated 13.09.2019 and 31.10.2019 within time frame fixed by this Court besides forbearing the respondents, particularly the third respondent and his subordinates from evicting the petitioner from the temple premises in Survey No.488/7 measuring about 0.039.0 sq.m. in Tiruchengode Taluk, Namakkal District.

For Petitioner	..	Mr.E.Mohamed Abbas
For Respondents	..	Mr.P.S.Sivashanmugha Sundaram, Spl. Govt. Pleader for R1 to R4



WEB COPY

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Mr.P.S.Sivashanmugha Sundaram, learned Special Government Pleader takes notice for the respondents.

2.The petitioner has been issued with eviction notice under Section 6 of the Land Encroachment Act. Thereafter, the petitioner has filed his objections followed by legal notice. Seeking further enquiry on the same, the present writ petition has been filed.

3.We are not inclined to entertain this writ petition as the remedy open to the petitioner is to file an appeal before the first respondent. In such view of the matter, the writ petition stands disposed of, giving liberty to the petitioner to file an appeal before the first respondent within a period of four weeks from the date of receipt of a copy of this order. Till such time, status quo as on today shall be maintained. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1.The District Collector
Namakkal District,
Namakkal District.

2.The Revenue Divisional Officer,
Tiruchengodu Taluk,
Namakkal District.

3.The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

4.The Revenue Inspector,
Tiruchengode Taluk,
Namakkal.

+1 CC to Govt. Pleader sr 98015.

W.P.No. 32756 of 2019

KK(CO)
SP(21/01/2020)