

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.26928 of 2018 and
W.M.P.Nos.31291 & 31294 of 2018

A.Revathi Petitioner

Vs.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Tahsildar,
Pollachi Taluk, Pollachi
Coimbatore District.

3.The President / Special Officer,
Puravipalayam Panchayat Union,
Puravipalayam, Pollachi Taluk,
Coimbatore District.

4.V.Sanmugasundari

5.The Assistant Engineer,
TANGEDCO,
Vadakkippalayam,
Pollachi Taluk,
Coimbatore District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the respondents 1 to 3 to remove the encroachments made by the 4th respondent and her men in Old Survey No.363, Survey No.816/7 and 816/8, Puravipalayam Village, Puravipalayam, Pollachi Taluk, Coimbatore District within a time frame.

For Petitioner : Ms.D.Geetha

For Respondents: Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) (R1 to R3)

Mr.M.Ramachandran (R4)

Mr.S.K.Rameshuwar (R5)

O R D E R

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents 1 to 3 to remove the encroachments made by the 4th respondent and her men in Old Survey No.363, Survey No.816/7 and 816/8, Puravipalayam Village, Puravipalayam, Pollachi Taluk, Coimbatore District within a time frame.

2.It is the case of the petitioner that Srila Sri Kodeeswara Swamigal attained Samadhi on 11.10.1994 and a small construction was put up covering his Samadhi in Old Survey No.363, 816/7 and 816/8, Puravipalayam Village and thereafter, the 4th respondent started construction work in the said place amidst protest by the local people. According to the petitioner, the construction put up by the 4th respondent is unauthorized without any planning permission.

3.The 3rd respondent filed an Inspection Report wherein it has been stated that as per the revenue records the Survey Nos.816/7 and 816/8 are recorded as Natham Vacant Site and the construction put up by the 4th respondent is without any permission from the local body and no tax has also been paid to the Village Panchayat.

4.The learned Government Pleader (i/c) appearing for the respondents 1 to 3 submitted that the official respondents will take appropriate action in respect of the unauthorized construction put up by the 4th respondent.

5.Recording the submission made by the learned Government Pleader (i/c), we direct the official respondents to take appropriate action in accordance with law with regard to the unauthorized construction put up by the 4th respondent.

6.With these observations, the Writ Petition is disposed of.
No costs. Consequently, the connected miscellaneous petitions
are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

va

To

- 1.The District Collector,
Coimbatore District,
Coimbatore.
- 2.The Tahsildar,
Pollachi Taluk, Pollachi
Coimbatore District.
- 3.The President / Special Officer,
Puravipalayam Panchayat Union,
Puravipalayam, Pollachi Taluk,
Coimbatore District.
- 4.The Assistant Engineer,
TANGEDCO,
Vadakkippalayam,
Pollachi Taluk,
Coimbatore District.

+1 cc to The Government Pleader, Sr.No.1439
+1 cc to M/s.D.Geetha, Advocate Sr.No.790

सत्यमेव जयते

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SJ(CO)
CSL/24.01.2019

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