



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.04.2019
CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM
AND
THE HONOURABLE MRS. JUSTICE R. THARANI

W. P (MD) NO. 7017 OF 2019
and
W. M. P (MD) No. 5598 of 2019

A. Deenadhayalan : Petitioner

.vs.

1. The District Collector,
Ramanathapuram District.
2. The District Revenue Officer,
Paramakudi,
Ramanathapuram District.
3. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

4. A. Palsamy : Respondents

(R3-Cause title amended as per order of this Court
made in W.M.P. (MD) No. 6014 of 2019, dated 09.04.2019)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent and his men in S.F.No.5, situated in Arambakkottai Village, Paramakudi Taluk, Ramanathapuram District by considering the Petitioner's representation dated 21.1.2019 within the time stipulated by this Court.

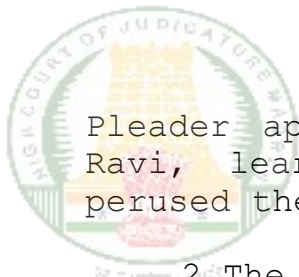
For Petitioner	: Ms. Karthika for M/s. Right Law Associates
For Respondents 1 to 3	: Mr. VR. Shanmuganathan Special Govt. Pleader
For Respondent-4	: Mr. B. Prahalad Ravi

O R D E R

[Order of the Court was made by **K. KALYANASUNDARAM., J.**]

<https://hcservices.ecourts.gov.in/hcservices/>

Heard Ms. Karthika, learned counsel appearing for the
Petitioner, Mr. VR. Shanmuganathan, learned Special Government



Pleader appearing for the respondents 1 to 3 and Mr.B.Prahalad Ravi, learned counsel appearing for the fourth respondent and perused the materials available on record.

2.The Petitioner has come forward with this Writ Petition seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent and his men in S.F.No.5, situated in Arambakkottai Village, Paramakudi Taluk, Ramanathapuram District, by considering the Petitioner's representation, dated 21.1.2019.

3.The Petitioner would allege that the fourth respondent is now constructing a Perumal Temple by encroaching the vacant land in S.No.5, which is classified as 'Government Poramboke'.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the said Perumal Temple has been in existence for time immemorial, hence the nearby Oorani itself is called as 'Perumal Oorani'. It is further stated that after receiving the representation of the Petitioner, the official respondents have conducted survey and enquiry and found that Perumal Temple is in existence from time immemorial and it causes no hindrance to the public and the Perumal Oorani.

5.However, suppressing the material facts, this Writ Petition has been filed. Further, no public interest is involved. For the above reasons, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District.
2. The District Revenue Officer,
Paramakudi,
Ramanathapuram District.
3. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate (SR-62396[F] dated
<https://hcservices.ecourts.gov.in/hcservices/>
25/04/2019)
+1 CC to SPL GP (SR-62760[F] dated 25/04/2019)



+1 CC to Mr.B.PRAHALAD RAVI, Advocate (SR-63124[F] dated
26/04/2019)

WEB COPY

vsn

MK/SP (07.05.2019) 3P 7C

ORDER MADE IN
W.P(MD)NO.7017 OF 2019
and
W.M.P(MD)No.5598 of 2019
25.04.2019