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BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

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DATE : 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

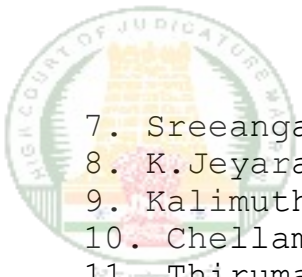
W.P. (MD) NO. 15767 OF 2019

Kuppanna Gounder

.. Petitioner

- Vs -

1. State rep. by
The District Collector
Dindigul District, Dindigul.
2. State rep. by
The District Revenue Officer
Office of the District Revenue Office
Dindigul.
3. State rep. by
The Revenue Divisional Officer/
Sub Collector, Palani
Dindigul District.
4. State rep. by
The Tahsildar
Oddanchatram Taluk, Dindigul Dt.
5. State rep. by
The Block Development Officer
Office of the Block Development Officer
Oddanchatram, Dindigul District.
6. State rep. by
The Inspector of Police
Ambalikai Police Station
Dindigul.



7. Sreeangaiyan
8. K.Jeyaraman
9. Kalimuthu
10. Chellamuthu
11. Thirumalaisamy

.. Respondents

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Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing respondents 1 to 3 to earmark the boundaries and to remove the encroachment by respondents 7 to 11 in the government pathway in S. No.310 and the government land in Karuppatti Hill rock which is situated in S. No.302 of Veriyapur Village, Oddanchatram Taluk, Dindigul District, within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr. V.Muthumani

For Respondents : Mr. A.K.Baskarapandian, Spl.G.P.
For RR-1 to 6

ORDER

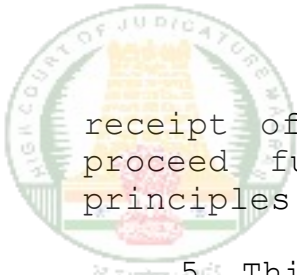
(Order of the Court was made by M.Sathyannarayanan, J.)

The petitioner claims to be a public interest litigant and also a devotee of Arulmigu Sadasara Shanmuganathan Temple at Karupatti Rock, Veriyapur Village, Dindigul District and according to him, during festival times, very many people used to come to the temple for worshipping the Lord Almighty and the private respondents had encroached upon the government pathway in survey No.310 and as a consequence, the devotees are put to extreme difficulty and hardship and the representations dated 6.8.18, 10.12.18 and 19.12.18 given in this regard has failed to evoke any response and, therefore, the petitioner was constrained to file this writ petition.

2. Heard the learned counsel appearing for the petitioner and Mr.Baskarapandian, learned Special Government Pleader accepts notice on behalf of respondents 1 to 5.

3. A perusal of the materials available in the typed set reveal that the 5th respondent has sent a communication dated 10.5.19 to the 4th respondent in Na.Ka.No.3345/2018/B3 as to the alleged encroachment and requested the 4th respondent to cause survey of the lands so as to enable the officials to take further steps to remove the encroachment.

4. In the light of the above facts and circumstances, this Court directs the 4th respondent to act on the letter of the 5th respondent dated 10.5.19, stated supra and take necessary steps to survey the lands in survey No.302 of Malaipurampagal and survey No.310 of Padhaipurampagal, Ottanchatram Taluk, Dindigul District and furnish the report to the 5th respondent within a period of six weeks from the date of receipt of a copy of this order and upon



receipt of the said report, it is open to the 5th respondent to proceed further in accordance with law after adhering to the principles of natural justice.

5. This writ petition is disposed of accordingly.

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Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector
Dindigul District, Dindigul.
2. The District Revenue Officer
Office of the District Revenue Office
Dindigul.
3. The Revenue Divisional Officer/
Sub Collector, Palani
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4. The Tahsildar
Oddanchatram Taluk, Dindigul Dt.
5. The Block Development Officer
Office of the Block Development Officer
Oddanchatram, Dindigul District.
6. The Inspector of Police
Ambalikai Police Station
Dindigul.

+1 CC to M/s.SPL GP (SR-75721[F] dated 17/07/2019)

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-75862[F] dated 17/07/2019)

W.P. (MD) NO. 15767 OF 2019
16.07.2019

gln

JM/30.07.2019/3P-9C