



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P. (MD) No.25029 of 2019

WEB COPY

V. Seenivasan

Petitioner

Vs

1. The Executive Officer
Arulmigu Santhanatha Swamy Thirukoil
Pudukottai
Pudukottai District
2. The Commissioner
Pudukottai Municipality
Pudukottai District
3. The Superintendent of Police
Pudukottai
Pudukottai District
4. The Inspector of Police
Pudukottai Town Police Station
Pudukottai District

Respondents

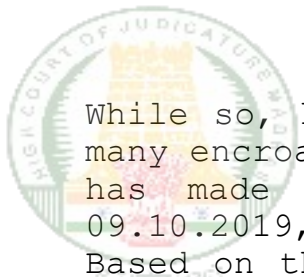
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 & 3 to implement the proceedings of the 1st respondent in Na.Ka.587/2019/J dated 17.10.2019 and Na.Ka.No.587/2019/J dated 05.11.2019.

For Petitioner : M/s.J.Anandkumar
For Respondents : For R1 -Mr.G.Madhavan-Standing Counsel
For R2-Mr.P.Mahendran- Standing Counsel
For R3 & R4 - Mr.M.Rajarajan
Government Advocate

O R D E R

This Writ Petition is filed by the petitioner to direct the respondents 2 & 3 to implement the proceedings of the 1st respondent in Na.Ka.587/2019/J dated 17.10.2019 and Na.Ka.No.587/2019/J dated 05.11.2019.

2. The petitioner is a licensee of the first respondent temple selling religious articles and he has been the successful bidder in the tender notified by the temple and doing business.



While so, he suffered a huge loss in running his shop as there are many encroachers, who have put up shops on the way to the temple. He has made several attempts and also given a representation on 09.10.2019, to remove the encroachment through the first respondent. Based on the said representation, vide proceedings dated 17.10.2019 and 05.11.2019, the first respondent requested the respondents 2 & 3, to initiate appropriate action/steps for removal of the encroachments. Despite the said proceedings, so far no action has been taken by the second respondent. Hence, the petitioner has come up with this present Writ petition.

3. Upon notice, the learned counsel for the first respondent temple, the second respondent, Pudukottai Municipality and the counsel for the respondents 3 & 4 are present.

4. Heard.

5. The learned counsel appearing for the second respondent Municipality agreed to give an undertaking to remove all the encroachments, as per the proceedings in Na.Ka.No.587 of 2019/J dated 17.10.2019 and he seeks some reasonable time for executing the same. The learned counsel appearing for the respondents 3 & 4 are also willing to co-operate in the process.

6. Accordingly, the 2nd respondent is directed to implement the proceedings of the 1st respondent dated 17.10.2019 and 05.11.2019. If required, the respondents 3 & 4, who are the police authorities shall extend their co-operation in implementing the said proceedings.

7. With the above direction the Writ petition is disposed of. No costs.

Post the matter on 06.01.2020, for reporting compliance.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

vrn

TO

1. The Commissioner
Pudukottai Municipality
Pudukottai District

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



2. The Superintendent of Police
Pudukottai
Pudukottai District

3. The Inspector of Police
Pudukottai Town Police Station
Pudukottai District

4. The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.J.ANANDKUMAR, Advocate Sr. No.103868
+1CC TO MR.P.MAHENDRAN, Advocate Sr. No.103703
+1CC TO MR.G.Madhavan, Advocate Sr. No. 103962

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KM(CO)
TR(13.12.2019) 3P 8C