

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26/3/2021

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.7419 of 2021

and

W.M.P.No.7935 of 2021

Arulmighu Nithya Kalyana Perumal Thirukoil,
rep. By its Executive Officer,
Thiruvidanthai,
Thiruporur Taluk,
Chengalpattu District 603 112. Petitioner

Vs

1. The Collector,
Office of the Collector,
GST Road,
Chengalpattu District 603 001.
2. The Block Development Officer,
Thiruporur Taluk,
Chengalpattu District 603 110.
3. The Village Administrative officer,
No.107, Nemilli Village,
Thiruporur Taluk ,
Chengalpattu District 603 104. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to act upon the representation dated 8/3/2021 and to remove the road measuring 90 feet x 6 feet that was laid by them in land belonging to the petitioner in S.No.199 bearing No.107 Nemilli Village, Thiruvidanthai, Chengalpattu District 603 112.

For petitioner	...	Mr.A.K.Sriram
For respondents	...	Mr.M.Elumalai
		Additional Government Pleader
		for R.R.1 & 3.
		Mr.A. Zakir Hussain
		Government Advocate
		for R.2.

ORDER

This writ petition has been filed to direct the respondents to act upon the representation, dated 8/3/2021 and to remove the road measuring 90 feet x 6 feet that was laid by them in land belonging to the petitioner in S.No.199 bearing No.107 Nemmilli Village, Thiruvidadanthai, Chengalpattu District 603 112.

2. On 23/3/2021, when the matter came up for hearing, Mr.Zakir Hussain, learned Government Advocate, took notice for the second respondent. On instructions, the learned Government Advocate, produced a letter, dated 25/3/2021, made in Na.Ka.No.522/2021/A.2, addressed by the second respondent to the learned Government Advocate, stating that the Assistant Engineer had inspected the site, on 25/3/2021. Preliminary work, viz., they have put some blue metals in the petitioner's place. On receipt of notice in this writ petition, the entire work has been stopped.

3. Though the respondents have admitted that they have issued a work order for laying of road, the second respondent has conceded that they are not aware it is a temple land and has attempted to lay the road, since it is used as road.

4. Recording the submission of the learned Government Advocate, that the respondents have stopped the work after the objections from the temple, this writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

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सत्यमेव जयते Sub Assistant Registrar

MVS

To

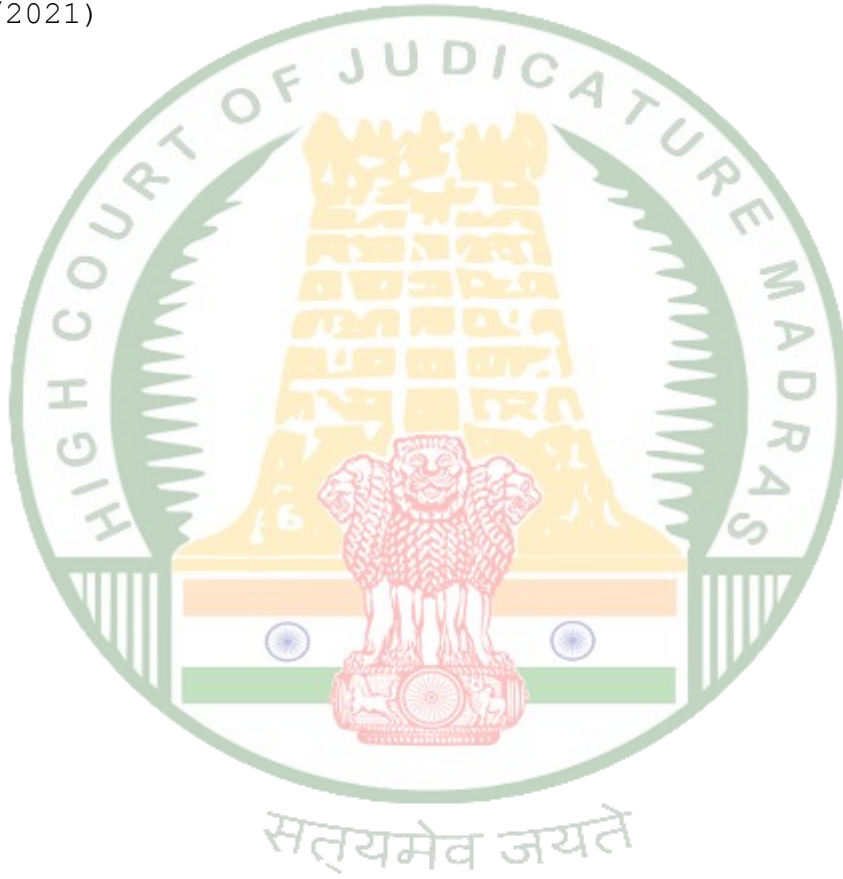
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GPL (CO)
TE (22/04/2021)



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