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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

W.P. No. 17281 of 2021
and
W.M.P. Nos. 18303, 18304 and 18307 of 2021

J.Ramesh

...Petitioner

Vs.

1. The Government of TamilNadu
Rep. by its Secretary
Public Works Department
Fort St. George, Chennai - 9.
2. The State Commissioner of Disabled
State of Tamil Nadu, Kamarajar Salai
Chennai - 5.
3. The District Collector
The District Collector Office
Chengalpattu District.
4. The Assistant Director
The Survey and Land Records Department
Collector Officer, Kanchipuram.
5. The Chief Engineer
The office of Tamil Nadu Public Work Department
Chengalpattu.
6. The Thasildar
Thirukazhukundram Taluk
Chengalpattu.
7. The Assistant Engineer
Tamil Nadu Public Works Department
W.R.D. Irrigation Section
Thirukazhukundram.

...Respondents

Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, to direct the Third Respondent to discover the correct survey number, nature and



extent of the property of church building of the Petitioner at Pandukarai, Chinna Colony, Vayalur Village, Thirukazhukundram Taluk before the commencement of eviction proceedings of Seventh Respondent within the time limit fix by this Hon'ble Court.

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For Petitioner : Mrs. P.Uma

For Respondents : Mrs. R.Anitha
State Government Counsel

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

This matter has been heard through "Video Conference".

2. The Petitioner has come before this Court seeking a direction directing the Third Respondent to discover correct survey number, nature and extent of the property of church building, situated at Pandukarai, Chinna Colony, Vayalur village, Thirukazhukundram Taluk before the commencement of eviction proceedings of the Seventh Respondent.

3. Heard Mrs. P.Uma, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned State Government Counsel appearing for the Respondents, and perused the materials placed on record.

4. Admittedly, the subject property is a Government land and no one has got any exclusive right over the subject property by way of any encroachment. The subject property is being encroached illegally in the name of religious structures. Gods never want their places of dwelling to be constructed on an encroached land. Shockingly and surprisingly, the people are misusing the Gods for their convenience to achieve their illegal objects. This is one such case, in which a place of worship is constructed encroaching upon the Government land without any approval from the competent authorities. Therefore, the Official Respondents have rightly taken action against the Petitioner and the Official Respondents are directed to remove the encroachment in respect of the subject property.

5. With the above, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



Maya

To

1. The Secretary
Public Works Department
Fort St. George, Chennai - 9.
2. The State Commissioner of Disabled
State of Tamil Nadu, Kamarajar Salai
Chennai - 5.
3. The District Collector
The District Collector Office
Chengalpattu District.
4. The Assistant Director
The Survey and Land Records Department
Collector Officer, Kanchipuram.
5. The Chief Engineer
The office of Tamil Nadu Public Work Department
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6. The Thasildar
Thirukazhukundram Taluk
Chengalpattu.
7. The Assistant Engineer
Tamil Nadu Public Works Department
W.R.D. Irrigation Section
Thirukazhukundram.

+1 cc to Mr.P.Uma,Advocate Sr.No.41229

+1 cc to the Government Pleader ,Advocate Sr.No.42079

W.P. No. 17281 of 2021

PCH[co]
NSK 20/09/2021