



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.17997 of 2021

Sri.Adipeeda Parameswari,
Kalikambal Kovil Viswakarma Trust,
Rep. by its Managing Trustee,
D.Sivaparakasam Achari,
No.1, Jawaharlal Street,
Big Kanchipuram,
Kanchipuram - 631 502.

...Petitioner

Vs.

1.The Commissioner,
H.R & C.E., Department,
Nungambakkam, Chennai - 600 034.

2.The Joint Commissioner,
H.R & C.E, Department,
Kanchipuram - 631 501.

3.The Assistant Commissioner,
H.R & C.E, Department, Collectorate,
Kanchipuram - 631 501.

4.The Executive Officer,
A/M.Adipeeda Parameswari Kalikambal Temple,
No.1, Jawaharlal Street, Big Kancheepuram.

5.The Municipal Commissioner,
Kancheepuram Municipality,
Kancheepuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 03.02.2021 and consequently to remove the illegal encroachments in the Jawaharlal Street being the approach road to the petitioner Temple comprised in T.S.No.1756, Ward No.4, Block No.22, of 5th respondent Municipality which is connecting Sengazhu Neerodai Street, A/M.Ragu Kethu Temple and A/M.Kanchi Kamatchi Amman Temple (North Gopuram).

For petitioner : Mr.B.Srinivasan



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For respondent : Mr.T.N.C.Kaushik
Govt. Advocate for R1 to R4
Mr.P.Srinivas
Senior Counsel for R5

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

Heard Mr.B.Srinivasan, learned counsel appearing for the petitioner, and Mr.T.N.C.Kaushik, learned Government Advocate appearing for the respondents 1 to 4 and Mr.P.Srinivas, learned Standing counsel appearing for the 5th respondent.

2. This Writ Petition is filed seeking for the issuance of a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 03.02.2021 and consequently to remove the illegal encroachments in the Jawaharlal Street, Kancheepuram.

3. The learned counsel appearing for the petitioner would state the Jawagarlal Street, is having 60 feet width, however due to the encroachment made by the land owners for the adjacent area, which has been narrowed down. Hence, a representation was made for the removal of encroachment. He further added that it would suffice if a direction is issued to the 5th respondent to take appropriate action on the basis of the representation of the petitioner.

4. The learned Standing counsel appearing for the 5th respondent would state that the 5th respondent has already initiated action to remove the encroachment.

5. In the light of the above submissions made by the learned counsel, this Court, without going into the merits of the matter, directs the 5th respondent to take appropriate action on the representation of the petitioner, after providing sufficient opportunities to all the necessary parties, in accordance with law. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar



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To

1.The Commissioner,
H.R & C.E., Department,
Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
H.R & C.E, Department,
Kanchipuram - 631 501.

3.The Assistant Commissioner,
H.R & C.E, Department, Collectorate,
Kanchipuram - 631 501.

4.The Executive Officer,
A/M.Adipeeda Parameswari Kalikambal Temple,
No.1, Jawaharlal Street, Big Kancheepuram.

5.The Municipal Commissioner,
Kancheepuram Municipality,
Kancheepuram.

+1cc to Mr.B.Srinivasan, Advocate, S.R.No. 51095
+1cc to the Government Pleader, S.R.No. 51742

W.P.No.17997 of 2021

KG(CO)
GN(21/10/2021)