



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.11.2021

CORAM:

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

W.P. No.20300 of 2021

A.Rajendran

.. Petitioner

Versus

1.The State of Tamil Nadu,
Rep. by the District Collector,
Cuddalore District,
Cuddalore - 607 001.

2.The Tahsildar,
Thittagudi Taluk,
Thittagudi - 606 106.

3.R.Subramanian

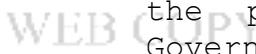
.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the second respondent viz., the Tahsildar, Tittagudi Taluk, Cuddalore District to remove the unlawfully put up structure by R.Subramanian paving way for unhindered assemble and worship of Sri Mariamman in S.F.No.101/14 of Vadakarai Village, Tittagudi Taluk as requested by the petitioner in the representation dated 15.07.2021 and 30.07.2021 within a stipulated time.

For petitioner : Mr.V.Vedachalam

For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
for R1 & R2

Mr.AR.Karthik Lakshman for R3



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

2. The petitioner has come up with this Writ Petition, seeking direction to the second respondent to remove the unlawfully put up construction by the third respondent in S.F.No.104/14 of Vadakarai Village, Tittakudi Taluk, on the basis of his representations dated 15.07.2021 and 30.07.2021.

4. The learned counsel appearing for the petitioner would state that the third respondent was the President of the Village for the period from 2006-2011 and he is now trying to grab the property, which is a vacant land near the Temple in S.F.No.101/14. In this regard, the petitioner gave representations, but no action was taken.

5. The learned counsel appearing for the third respondent disputed the averments made in the affidavit. According to him, the land belongs to the third respondent. It is also stated that the third respondent has instituted a suit in O.S.No.89 of 2021 before the Sub Court, Tittakudi.

6. The learned Additional Government Pleader appearing for the respondents 1 and 2 would state that the second respondent is the competent person and he is ready to consider the representation of the petitioner.

7. In the light of the limited scope of the prayer sought for in the Writ Petition and considering the submissions made by the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to take appropriate action on the representations of the petitioner dated 15.07.2021 and 30.07.2021, in accordance with law, after affording opportunity to all the necessary parties. Such exercise shall be completed



within a period of six months from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The District Collector,
Government of Tamil Nadu,
Cuddalore District,
Cuddalore - 607 001.

2.The Tahsildar,
Thittagudi Taluk,
Thittagudi - 606 106.

+1cc to Mr.AL.Gandhimathi, Advocate SR.No.59748
+1cc to Mr.V.Vedachalam, Advocate SR.No.59827
+1cc to the Government Pleader SR.No.60636

W.P. No.20300 of 2021

VG II(CO)
GN(13/12/2021)