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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 20.10.2021

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

W.P.No.21929 of 2021
and W.M.P.No.23135 of 2021

1.K.Balasundaram
2.K.Saminathan

... Petitioners

-vs-

1.The District Collector
District Collector's Office
Salem District, Salem.

2.The Commissioner
Mettur Municipality
Mettur Taluk, Salem District - 636 401.

3.The Tahsildar
Mettur Taluk, Salem District - 636 401.

4.V.Subramaniam
Temple Managing Trustee, Sri Om Kaliyamman Koil
Mathayankuttai, Mettur Taluk
Salem District - 636 452.

5.A.Selvam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the official respondents 1 to 3 to act upon the representations made by the petitioners dated 07.01.2019, 24.10.2020, 17.05.2021 and accordingly remove the encroachment in front of the residential house of the petitioners in Ward B, Block 13, old T.S.No.41/12-P, New T.S.No.14 of the municipality road leading to Elikaradu, Mettur Town, at the instance of the 4th respondent temple and the 5th respondent and accordingly restore the petitioner's property to its original status.

For petitioners	:Ms.Dakshayani Reddy
For respondents	:Mrs.Akhila Rajendran,
	GA for R1&3
	Mr.L.P.Maurya, SC for R2



ORDER

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

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By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.Heard; Ms.Dakshayani Reddy, learned counsel for the petitioners; Mrs.Akhila Rajendran, learned Government Advocate appearing for the Respondents 1&3 and Mr.L.P.Maurya, learned Standing Counsel appearing for the 2nd respondent.

3.This writ petition has been filed, seeking direction to the respondents 1 to 3 to act upon the representations of the petitioners dated 07.01.2019, 24.10.2020 and 17.05.2021 to remove the encroachment in Ward B, Block 13, old T.S.No.41/12-P, New T.S.No.14 of the municipality road leading to Elikaradu, Mettur Town.

4.The learned Government Advocate as well as the learned Standing Counsel would state that the official respondents have already found encroachment in the land in dispute and they are taking effective steps to remove the same.

5.In the light of the submission of the learned counsels, this writ petition is disposed of, directing the 2nd respondent to take appropriate action on the representations of the petitioners dated 07.01.2019, 24.10.2020 and 17.05.2021 and remove the encroachment, after affording ample opportunity to all the necessary parties. The said exercise shall be completed within a period of six months from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
District Collector's Office
Salem District, Salem.

2.The Commissioner
Mettur Municipality
Mettur Taluk, Salem District - 636 401.

3.The Tahsildar
Mettur Taluk, Salem District - 636 401.

+1 cc to Ms.Dakshayani Reddy, Advocate Sr.NO.53786
+1 cc to M/s.L.P.Maurya ., Advocate Sr.NO. 54289
+1 cc to Government Pleader Sr.NO. 53878

W.P.No.21929 of 2021

GJ(CO)
A.SK(12.11.2021)