



WEB COPY



W.P.No.2640 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.2640 of 2022

Venkatesa Adigalar

.. Petitioner

Vs.

1. The District Collector
Villupuram District Collectorate Office
Villupuram.

2. The Municipal Commissioner
Eswaran Koil Street
Tindivanam 604 001.

3. The Tahsildar
Tindivanam Taluk
Tindivanam.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records pertaining to the impugned notice in Na.Ka.No.636/2021/F1 dated 28.09.2021 passed by the 2nd respondent and quash the same and



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consequently, direct the Respondents not to interfere peaceful spiritual activity of Sri Nagasakthi Siththar Peedam Temple at land in Survey No.25/8, T.S.No.3, Block No.1, Ward No.C of Avarapakkam Village, Gingee Road, Santhaimedu, Tindivanam 604 001 within limit of the Tindivanam Municipality, Villupuram District.

For the Petitioner : Ms.K.Suhasini

For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for Respondents 1 & 3

Mr.P.Srinivas
Standing Counsel
for Respondent-2

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

In this writ petition, challenge is made to the notice dated 28.09.2021 issued by the second respondent calling upon the petitioner to remove the encroachment.



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2. Arguments were heard at length. Learned counsel for the petitioner, on instructions, submits that if reasonable time is given to vacate the premises in question, the petitioner would not contest the petition nor challenge the eviction notice dated 28.09.2021 of the second respondent. She prayed for six months' time to vacate the premises.

3. Learned Additional Advocate General submits that since the petitioner has encroached the land in question, he should be evicted immediately.

4. We have considered the submissions and find that the land in question has been occupied by the petitioner, by constructing a temple. The said construction is not for housing or commercial purpose. Therefore, we allow the petitioner to vacate the premises within a period of six months.

5. With the aforesaid, the writ petition is disposed of. There



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will be no order as to costs. WMP Nos.2792, 2793 and 2795 of 2022 are closed.

(M.N.B., C.J.) (N.M., J.)
14.07.2022

Index : Yes/No

kpl

To:

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M.N.BHANDARI, CJ
AND
N.MALA,J.

(kpl)

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