



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.7744 of 2022

R.Muthukkumarasamy

...Petitioner

-vs-

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Sub-Collector,
Pollachi,
Coimbatore District.
3. The Tahsildar,
Pollachi Taluk,
Coimbatore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made by installing a statue of God Karuparayan at S.F.No.334 of Perumpathi Village of Puravipalayam, Pollachi Taluk, Coimbatore District, by considering the representation of the petitioner dated 31.12.2021.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.A.Selvendran,
Spl. Govt. Pleader

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made by installing a statue of God Karuparayan at S.F.No.334 of Perumpathi Village of Puravipalayam, Pollachi



Taluk, Coimbatore District, by considering the representation of the petitioner dated 31.12.2021.

2.Learned Counsel appearing for the petitioner would submit that the petitioner is doing various welfare activities for the people at general. The land covered in S.F.No.334 of Perumpathi Village of Puraivipalayam, Pollachi Taluk, Coimbatore District is a Government land, therefore, the respondents are responsible for maintaining the same. While so, different religious people belonging to Hindu, Muslim and Christian etc. are living in and around the small hill in the said S.F.No.334. In order to grab the said Government land, some antisocial elements put up a statue of God Karuparayan in the year 2019 and started preventing the free movement of the villagers by erecting a wall by coconut leaf, thereby the said anti social elements are also claiming right over the said property and preventing the free access of the Scheduled Caste and Scheduled Tribe people and the people of other religions by raising tin seats. Therefore, a representation has been given on 31.12.2021 to the respondents requesting them to remove the said encroachment on the Government Land, but no action has been forthcoming. Hence, the Present Writ Petition came to be filed.

3.Heard Mr.A.Selvendran, learned Special Government Pleader who takes notice for the respondents.

4.Prima facie, this Court is of the view that the writ petition itself is not at all maintainable. The reason being that when the petitioner claims to be the resident of No.2/74-A, KarpagavinayagarKovil Street, Kittasoorampalayam, Kurumbapalayam Post, Pollachi Taluk, Coimbatore District, it is not known how he is affected when the statue of God Karuparayan was installed by the village people in a Poromboke Land in S.F.No.334 of Perumpathi Village, Puravipalayam, Pollachi Taluk, who is no way connected with Perumpathi Village. Therefore, finding no merits whatsoever, this Court is of the considered view that the Writ Petition has been filed with some ulterior motive.

5.In the result, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Sub-Collector,
Pollachi,
Coimbatore District.

3. The Tahsildar,
Pollachi Taluk,
Coimbatore District.

+1cc to the Special Government Pleader, S.R.No.22705

W.P.No.7744 of 2022

SKM(CO)
RGA(12/04/2022)