

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.15116 OF 2022

AND

W.M.P.NO.14321 OF 2022

1.V.Rameshkumar
2.R.K.Kumar

... Petitioners

Vs.

1. The District Collector,
Nagapattinam District,
Nagapattinam.
2. The Assistant Director (Panchayats),
Nagapattinam.
3. The Thasildhar,
Nagapattinam Taluk,
Nagapattinam.
4. The Assistant Commissioner,
The Hindu Religious and Charitable
Endowment and Administration Department,
Nethaji Road, Nagapattinam.
5. The Executive Officer,
Arulmigu Swarnapureswarar Swamy Temple,
South Poigainallur,
Sattaiappar Street,
Nagapattinam.
6. The President,
South Poigainallur Panchayat,
South Poigainallur,
Nagapattinam Taluk & District.
7. R.P.Sankar

... Respondents

Prayer:

Writ Petition filed under Article 226 of Constitution of

India, for issuance of a Writ of Mandamus, directing the first to third respondents and sixth respondent to forthwith shift the Paravai Santhai daily market from the private property of the seventh respondent in Survey Nos.131/3B1 and 131/4 at Velankani Main Road, South Poigainallur, Nagapattinam Taluk, to its original place at Survey Nos.120/1 and 121/2 belonging to the HR & CE Department.

For Petitioners: Mr.N.Suresh

For Respondents:

For R1 to R3 : Mr.M.Shahjahan
Special Government Pleader

For R4 & R5 : Mrs.M.Geetha Thamaraiselvan
Special Government Pleader

For R6 : Mr.S.Jayachandran
Government Advocate

ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the first to third respondents, Mrs.M.Geetha Thamaraiselvan, learned Special Government Pleader takes notice on behalf of the fourth and fifth respondents and Mr.S.Jayachandran, learned Government Advocate takes notice on behalf of the sixth respondent.

2. After hearing the learned counsel appearing for the petitioners and the learned Special Government Pleaders appearing for the official respondents and the learned Government Advocate appearing for the sixth respondent, this writ petition is being disposed at the time of admission, by dispensing with notice and counter on the private respondent/seventh respondent as no adverse orders are proposed to be passed against the private seventh/respondent at this stage in this writ petition.

3. Without going into the merits of the case, this Court directs the official respondents/first to sixth respondents, to pass appropriate orders on the petitioner's representation dated 16.02.2022, in the light of the proceedings of the District Collector's Letter dated 29.12.2020 bearing Ref.ந.க.எண்.2125/2020/௫2/அ.இ.(அ)இ, within a period of thirty days from the date of receipt of a copy of this order.

4. It is needless to state that before passing such order, not only the petitioner but also the seventh respondent shall be heard.

5. This Writ Petition is disposed of in terms of the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

arb

To

1. The District Collector,
Nagapattinam District, Nagapattinam.
2. The Assistant Director (Panchayats),
Nagapattinam.
3. The Thasildhar,
Nagapattinam Taluk, Nagapattinam.
4. The Assistant Commissioner,
The Hindu Religious and Charitable
Endowment and Administration Department,
Nethaji Road, Nagapattinam.
5. The Executive Officer,
Arulmigu Swarnapureswarar Swamy Temple,
South Poigainallur,
Sattaiappar Street, Nagapattinam.
6. The President,
South Poigainallur Panchayat,
South Poigainallur,
Nagapattinam Taluk & District.

+1cc to Mr.N.Suresh, Advocate, S.R.No.37278
+1cc to the Government Pleader, S.R.No.38255

W.P.No.15116 of 2022
and
W.M.P.No.14321 of 2022

GSM(CO)
PM/15/07/2022