



W.P.No.29537 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.29537 of 2022

K.Ramayan

.. Petitioner

VS

- 1.The District Collector,
Collectorate of Karaikal,
Nehru Street, Karaikal District,
Karaikal-605 009.
- 2.The Commissioner,
Hindu Religious & Charitable Institution Department,
Pondicherry District Office,
3rd Floor, Collectorate Complex,
Vazhuvavoor Road, Aruthranagar,
Pondicherry-605 009.
- 3.The Special Officer,
Hindu Religious & Charitable Institution Department,
Dharbaranyeswarar Temple, Thirunallar,
Karaikal District-609 607.



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4.The President Endowment Trust Committee,
Sri Vizhidihiyur Vizhinatha Swami Kovil,
Hindu Religious & Charitable Institution Department,
Vizhidihiyur Main Road,
Manampettai Road, Vizhidhiyur Village & Post,
Via Thirunallar,
Karaikal District-609 607.

5.G.Sivakumar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to act forthwith on the petitioner's representation dated 17.8.2022 and consequentially to take necessary statutory action to remove the encroachment in unauthorized constructions thereon put up by the 5th respondent in respect of the 'Sri Vizhidiyur Vizhinatha Swami Koil' land measuring an extent of 4.3 Hectares comprised in R.S.No.5, Sub-division-3, bearing Patta Nos.270 and 273, situated in No.19, Vizhidhur Village, Karaikal Taluk and District.

For the Petitioner : Mr.S.L.Sudarsanam

For the Respondents : Mr.V.Balamurugane
Government Pleader
(Puducherry)

ORDER

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

This writ petition has been filed by the petitioner seeking a direction on respondents 1 to 4 to consider the representation of the petitioner dated 17.8.2022 and take necessary action to remove the unauthorised construction put up by the fifth respondent in the



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land belonging to Sri Vizhidiyur Vizhinatha Swami Koil measuring an extent of 4.3 hectares comprised in R.S.No.5, Sub-Division-3, situated at No.19, Vizhidhur Village, Karaikal Taluk and District.

2. Learned Government Pleader (Puducherry) appearing for respondents 1 to 3 submitted that before filing the present writ petition, the fourth respondent has made a complaint to respondents 1 to 3 to remove the encroachment made by the fifth respondent and based on the said complaint, when the respondent authorities conducted a survey of the land in question, the fifth respondent raised a hue and cry and protested the action.

3. Learned Government Pleader further submitted that now respondents 1 to 3 are ready to conduct a survey of the land in question and if any encroachment is found, they are ready to remove the same within a period of eight weeks.

4. In view of the above, we hereby direct respondents 1 to 3 to conduct a survey of the land in question, after notice to the fifth



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respondent and, if any encroachment is found, the same shall be removed within a period of eight weeks from the date of receipt of a copy of this order. It is needless to mention that if there is an encroachment made by the fifth respondent or anyone in the land in question, as alleged by the petitioner in the representation, the fourth respondent may approach the Senior Superintendent of Police, Karaikal District, and seek police protection orally or in writing, who in turn shall direct the jurisdictional police station to give adequate police protection for removal of the encroachment.

5. With the above observation and direction, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.28919 and 28920 of 2022 are closed.

(T.R., ACJ.) (D.K.K., J.)
09.11.2022

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