



WEB COPY



W.P.No.32318 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.32318 of 2022
and
W.M.P.No.31714 of 2022

T.Senthuraman

...Petitioner

Vs.

- 1.The District Collector,
Rajaji Salai, Fourth Floor, 62,
Beach Road, George Town,
Chennai – 600 001.
- 2.The Commissioner,
The Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.
- 3.The Vice Chairman,
Chennai Metropolitan Development Authority (CMDA),
Gandhi Irwin Road, Egmore,
Chennai – 600 008.
- 4.The Regional Deputy Commissioner (Central),
Door No.36B, 2nd Cross Street, Pulla Avenue,
Shenoy Nagar, Chennai – 600 030.



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5.The Tahsildar,
No.88, Mayor Ramanathan Street,
Near Palimer Hotel, Egmore,
Chennai District.

6.The Inspector of Police,
F5-Choolaimedy Police Station,
Chennai District.

7.Paramasivan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1 to 6 to stop the construction work and not to provide No Objection Certificate for construction of temple at S.No.64/9 Block 1, Vallalar Nagar, Padmanabha Nagar, Choolaimedu, Chennai – 94 by considering the petitioner's representation dated 23.11.2022.

For Petitioner : Ms.G.Keerthana

For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader for R1 to R5

Mr.D.B.R.Prabhu, Standing Counsel for R2

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

This is an anticipatory litigation. The petitioner who had moved this Court and got an order for removal of encroachment is now attempting



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to dictate as to where the temple should be situate. We do not think that such an anticipatory writ petition could be entertained. If the encroachment is not removed, the petitioner can always make a complaint. It appears that the petitioner wants to have the cake and eat it too. Now, when the process of removal of encroachment has started, the petitioner wants to put spokes in the wheel.

2. Hence, we do not see any merits in this writ petition. The writ petition therefore fails and it is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (K.B.,J.)
01.12.2022

dsa
Index : No
Internet : Yes
Speaking order



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To:-

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R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

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