



W.P(MD)No.15438 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P(MD)No.15438 of 2022

K.Jeyaram

... Petitioner

VS.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment,
No.119, Uthamar Gandhi Road,
Thousand Lights,
Nungambakkam,
Chennai – 600 034.
- 2.The Executive Officer,
(Sri Veera Anjeneyar Temple),
Sri Ramanandha Pajanai Madam,
No.49, Anumar Koil Padithurai,
Simmakkal,
Madurai – 625 001.
- 3.The District Collector,
Madurai District,
Collectorate Buildings,
Madurai – 625 020.
- 4.The Director,
Village Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.



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5.The Block Development Officer,
Madurai East Union Office,
P.T Rajan Road,
Chinna Chokkikulam,
Tallakulam,
Madurai – 625 002.

6.Anandh

7.Senthu Pandian

... Respondents

(R – 7 was impleaded vide order, dated 15.11.2022
made in W.M.P(MD)No.12172 of 2022)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to stop encroachment made by the sixth respondent and consequently directing the respondents 1 to 5 to remove the paver block road in Ramanandha Bajanai Madam land laid by the sixth respondent in Survey No.110/8 at Narasingam Village Panchayat, Madurai.

For petitioner : Mr.R.Saravanakumar

For RR 1, 3 & 5 : Mr.S.P.Maharajan
Special Government Pleader

For R – 2 : Mr.S.Manokar

For R – 6 : Mr.J.David Ganesan

For R – 7 : Mr.S.Chellapandian



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ORDER

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

The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to stop the encroachment made by the sixth respondent and consequently directing the respondents 1 to 5 to remove the paver block road in Ramanandha Bajanai Madam land laid by the sixth respondent in Survey No.110/8 at Narasingam Village Panchayat, Madurai.

2.The learned counsel appearing for the petitioner submitted that though the Block Development Officer by proceedings in Na.Ka.No.2349/2022/Thi7, dated 27.06.2022 directed the Panchayat President to take action on the complaint made by the petitioner, dated 24.06.2022 with regard to removal of the aforesaid encroachment made by the sixth respondent, till date, no action has been taken. Hence, this Writ Petition.



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3.The learned Special Government Pleader appearing for the respondents 1 & 3 to 5, on instructions, submitted that the representation of the petitioner, dated 24.06.2022 would be considered and appropriate action will be taken in accordance with law.

4. In view of the abovesaid submissions, the authorities concerned are directed to consider the representation of the petitioner, dated 24.06.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner and all other parties, the authorities concerned shall take necessary action for removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Index : Yes / No
Internet : Yes

[R.M.D.,J.] [J.S.N.P.,J.]
23.11.2022

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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 23.11.2022