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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM:

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

W.P.(MD) No.15678 of 2022

Ramasamy ... Petitioner

-vs-

1. The District Collector,
District Collector Office,
Pudukottai 622 005.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukottai 622 005.

3. The Tahsildar,
Thirumayam Taluk,
Pudukottai District - 622 507.

4. The Block Development Officer,
(Village Panchayath),
Thirumayam,
Pudukottai District - 622 507.

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5. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Near Temple
Tower Hotel, Thanjavur,
Thanjavur - 613 001.

6. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Pudukottai District,
Pudukottai - 622 005.

7. Mr. Mani ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent in Panayapatti Nagarathar Sivan Kovil Urani (Waterbody) and to restore the same to its original position which is situated in Survey No. 775/17, Melapanaiyur Revenue Village, Thirumayam Taluk, Pudukottai District by considering the petitioner's representation dated 18.05.2022 within a stipulated time that may be fixed by this Honble Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.G.V.Vairam Santhosh
Addl.Govt.Pleader for R1 to R4
Mr.P.Subbaraj
Spl.Govt.Pleader for R5 and R6
No appearance for R7

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O R D E R

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment in Panayapatti Nagarathar Sivan Kovil Urani, situated in Survey No. 775/17, Melapanaiyur Revenue Village, Thirumayam Taluk, Pudukottai District, made by the seventh respondent and to restore the same in its original position, by considering the petitioner's representation dated 18.05.2022, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 5 and 6, produced a communication of the sixth respondent – the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Pudukottai District, in Na.Ka.No.3298/2022 அ2, dated 12.11.2022, addressed to him and submitted that eight shops constructed unauthorisedly in the temple land have already been removed and pillars therein have to be removed which would also be removed within a week.

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3. The aforesaid submission of the learned Special Government Pleader as well as the communication dated 12.11.2022 are not refuted by the learned counsel for the petitioner.

4. Recording the above submission of the learned Special Government Pleader, this Writ Petition is closed with a direction to the authorities concerned to remove the pillars in the place in question within one week as per the aforesaid communication of the sixth respondent. No costs.

[R.M.D., J.] [J.S.N.P., J.]
15.11.2022

Index : Yes / No
Internet : Yes / No
pkn

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