



W.P(MD)No.18776 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022

CORAM:

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

W.P(MD)No.18776 of 2019

C.Karunanithi Pandian

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Kokkirakulam – 627 009,
Tirunelveli.

2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli – 627 001.

3.The Tahsildar,
Palayankottai Taluk,
Palayankottai – 627 002,
Tirunelveli District.

4.The Assistant Director,
District Survey Office,
Tirunelveli – 627 009,
Tirunelveli District.

5.C.Subramanian @ Christoher
6.P.Sankaran

... Respondents



W.P(MD)No.18776 of 2019

WEB C **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 4 herein to remove the encroachments made in Temple poramboke land in Town Survey No.2004, Block No.23, Ward No.BJ, Palayankottai Taluk, Tirunelveli District.

For Petitioner : Mr.P.Subbiah
For RR 1, 3 & 4 : Mr.S.P.Maharajan
Special Government Pleader
For R – 2 : Mr.Aayiram K.Selvakumar

ORDER

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

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made in Temple poramboke land in Town Survey No.2004, Block No.23, Ward No.BJ, Palayankottai Taluk, Tirunelveli District.

2. The learned counsel appearing for the petitioner submitted that though the petitioner made representation, dated 25.10.2018 to the authorities concerned seeking to remove the encroachment made by the respondents 5 and 6, till date no steps have been taken by the official respondents to remove the same. Hence, this Writ Petition.



W.P(MD)No.18776 of 2019

WEB COPY

3. The learned Government Advocate appearing for the respondents 1, 3 & 4, on instructions, submitted that the representation of the petitioner, dated 25.10.2018 would be considered and appropriate action will be taken, for which, the learned counsel appearing for the petitioner is agreeable.

4. In view of the abovesaid submission, this Writ Petition is disposed of directing the official respondents to consider the representation of the petitioner, dated 25.10.2018 on merits and in accordance with law. If there is any encroachment, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
13.10.2022



W.P(MD)No.18776 of 2019

WEB COPY

- To
- 1.The District Collector,
Tirunelveli District,
Kokkirakulam – 627 009,
Tirunelveli.
 - 2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli – 627 001.
 - 3.The Tahsildar,
Palayankottai Taluk,
Palayankottai – 627 002,
Tirunelveli District.
 - 4.The Assistant Director,
District Survey Office,
Tirunelveli – 627 009,
Tirunelveli District.



WEB COPY



W.P(MD)No.18776 of 2019

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

ps

ORDER MADE IN
W.P(MD)No.18776 of 2019

DATED : 13.10.2022