



W.P.(MD) No.27154 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.27154 of 2022

and

W.M.P.(MD) No.21309 of 2022

R.Mookkan @ Perumal Goundar

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Trichy District.
- 2.The Tahsildar,
Manapparai Taluk,
Trichy District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.



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4.The Deputy Superintendent of Police,
Manapparai,
Trichy District.

5.The Inspector of Police,
Puthanatham Police Station,
Trichy District.

6.Durairaj Gounder

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 5 respondents to remove the encroachment made by the 6th respondent in the premises of Pannangombu Bagavathi Amman Temple & Sri Mariyamman Temple, Manapparai Taluk situated in Pannangombu Village, Manapparai Taluk, Trichy District, within the stipulated time fixed by this Court on the basis of the petitioner's representation dated 07.11.2022.

For Petitioner : Mr.K.R.Manimaran

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1 & R2

: Mr.T.Senthil Kumar
Additional Public Prosecutor for R3 to R5



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ORDER

[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 5 to remove the encroachment made by the sixth respondent in the premises of Pannangombu Bagavathi Amman Temple & Sri Mariyamman Temple, Manapparai Taluk situated in Pannangombu Village, Manapparai Taluk, Trichy District, on the basis of the petitioner's representation dated 07.11.2022, within a time frame.

2. Heard Mr.K.R.Manimaran, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 and 2 and Mr.T.Senthil Kumar, learned Additional Public Prosecutor, who takes notice for the respondents 3 to 5. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the sixth respondent is dispensed with.



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4. It is the claim of the petitioner that the sixth respondent has made the aforesaid encroachment in the temple property and in this regard, though the petitioner made a representation on 07.11.2022 to the respondents seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.

5. The Government Pleader appearing for the respondents 1 and 2 submitted that the representation of the petitioner dated 07.11.2022 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, in the place in question for which, the learned counsel for the petitioner is agreeable.



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6. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 07.11.2022, on merits and in accordance with law. If there is any encroachment in the place in question, 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 (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
01.12.2022

vsm

To

- 1.The District Collector,
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- 2.The Tahsildar,
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vsm

- 3.The Superintendent of Police,
Office of the Superintendent of Police,
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- 4.The Deputy Superintendent of Police,
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