



WEB COPY



W.P.No.2282 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

Writ Petition No.2282 of 2023

L.Sathyanarayana Sah

.. Petitioner

Vs.

1.The District Collector
Kancheepuram
Kancheepuram District.

2.The District Superintendent of Police
Office of the Superintendent of Police
Kancheepuram District.

3.The Tahsildhar
Kancheepuram Taluk
Kancheepuram.

4.The Commissioner
Kancheepuram City Municipal Corporation
Kancheepuram.

5.Subbiah

6.Mothilal

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take immediate and stern action in removing and demolish the illegal and unauthorised construction of Arulmigu Selva Vinayagar Temple made by the respondents 5 & 6 in the northern portion of the vacant house site comprised in New Survey No.125/11, Old Survey Nos.355/14 & 355/15, North to South 16 feet and East to West 100 feet admeasuring 1600 sq.ft., out of the total 3200 sq.ft. at Sowrashtra street, Arappanacheri (Thirukkalimedu) Village, Kancheepuram Taluk, Kancheepuram District in pursuant to the order dated 04.07.2022 passed by the 3rd respondent and to prevent any future illegal and unauthorised construction in the said place.

For Petitioner : Mr.D.S.Rajasekar

For R1 to R3 : Mr.E.Vijay Anand
Additional Government Pleader

For R4 : Mr.Arun Dhanapalan
Standing Counsel

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The present writ petition is filed for a direction to the respondents 1 to 4 to take immediate and stern action in removing and demolish the illegal and unauthorised construction of Arulmigu Selva Vinayagar Temple made by the respondents 5 & 6 and to prevent any future illegal and unauthorised construction.



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2. Heard the learned counsel appearing for the petitioner as well as learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Standing Counsel appearing for the 4th respondent and perused the entire materials on record.

3. After elaborate arguments, learned counsel appearing for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to file civil suit for proving his title and made an endorsement to that effect.

4. Recording the above submissions and endorsement made by the learned counsel appearing for the petitioner, this writ petition is dismissed as withdrawn. It is open to the petitioner to file suit to prove his title. No costs.

(V.M.V., J) (R.H., J)
31.01.2023

Index : Yes/No
Neutral Citation : Yes/No
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**V.M.VELUMANI,J.
and
R.HEMALATHA,J.**

Kj

To

1.The District Collector
Kancheepuram
Kancheepuram District.

2.The District Superintendent of Police
Office of the Superintendent of Police
Kancheepuram District.

3.The Tahsildhar
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