



W.P.No.7258 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7258 of 2023

Kumar

.. Petitioner

Vs

- 1.The Department of Regional Rural Development
and Panchayatraj,
Panagal Building,
Chennai – 600 015.
- 2.The Commissioner,
The Department of Hindu Religious and Charitable,
Ariyalur, Ariyalur District.
- 3.The District Collector,
Office of the Collector,
Ariyalur District.
- 4.The Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.
- 5.The Rural Development Officer,
Panchayat Union,
Jayankondam.



W.P.No.7258 of 2023

6.Ravichandran
7.Illamurugan
8.Mariyappan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 5 to consider the petitioner's representations dated 15.11.2021 and 20.12.2022 and further directing respondents 6 to 8 to remove the illegal encroachments in respect of the property measuring an extent of 11 acre 5 cents, comprised in S.No.260/9,1c and another adjacent land having an extent of 2 acres 75 cents, comprised in S.No.260/4 situated in Vanathirayanpatinam Village.

For the Petitioner	: Mr.M.Senthil Vadivu
For the Respondents	: Mr.P.Muthukumar State Government Pleader for respondents 1, 3 to 5
	: Mr.N.R.R.Arun Natarajan Spl. G.P. (HR & CE) for respondent No.2

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Kumar, son of Krishnamurthy, a resident of Udayarpalayam Taluk, Ariyalur District, has filed this writ petition seeking issuance of a writ of mandamus to direct respondents 1 to 5 to consider the petitioner's representations dated 15.11.2021 and 20.12.2022 and to further direct respondents 6 to 8 to remove the illegal



W.P.No.7258 of 2023

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encroachments in respect of the property measuring an extent of 11 acre 5 cents, comprised in S.No.260/9,1c and another adjacent land having an extent of 2 acres 75 cents, comprised in S.No.260/4 situated in Vanathirayanpatinam Village.

2. Mr.M.Senthil Vadivu, learned counsel appearing for the petitioner, would submit that the land in question originally belonged to Arulmigu Chenniswaran Temple, which is under the control of the Hindu Religious and Charitable Endowments Department. The lands are classified as temple properties in the revenue records. It is pleaded that natural pond and lakes existed over the lands in question. The sixth and seventh respondents encroached upon the water body and levelled the pond and started dumping sand into it. The eighth respondent, he pleaded, had encroached upon the poramboke land and constructed a cattle shed. Complaining about the encroachments put up by respondents 6 to 8, the petitioner sent representations on 15.11.2021 and 20.12.2022 to the respondent authorities. As the said representations did not evoke any response, the petitioner has been



W.P.No.7258 of 2023

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advised to file this writ petition.

3. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1, 3 to 5, submitted that if six weeks' time is granted to the respondent authorities, they will conduct a survey of the lands in question and thereafter remove the encroachments.

4. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to conduct a survey of the lands in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed within a period of six weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
10.03.2023

Index : No
Neutral Citation : No



W.P.No.7258 of 2023

WEB COPY

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W.P.No.7258 of 2023

THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

W.P.No.7258 of 2023

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