



WEB COPY

WP No.35913 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-03-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.35913 of 2015

and

MP No.1 of 2015

Arulmigu Pidari Ayiram Kathamman Koil
Manali, Represented by is Hereditary Trustee,
Mr.M.K.Sakthivel,
14/30, Muthukrishnan Street,
Kondithope,
Chennai-600 079.

... Petitioner

Vs.

1.The Secretary,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai-600 009.

2.The Commissioner,
Corporation of Madras,
Chennai-600 003.

3.The Zonal Officer,
Zonal II, Chennai Corporation,
Manali Zone,
Chennai-600 068.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents not to interfere with the peaceful possession and enjoyment of lands measuring an extent of 3.19 acres in No.191/2 of Manali Village, Thiruvottiyur Taluk, Trivellore District belonging to the petitioner-Temple without following the due process of law.

For Petitioner : Mr.R.Dhamodaran

For Respondent-1 : Mr.Abishek Murthy,
Government Advocate.

For Respondents-2 and 3 : Mr.A.C.Mani Bharathi

ORDER

The relief sought for in the present writ petition is to direct the respondents not to interfere with the peaceful possession and enjoyment of lands measuring an extent of 3.19 acres in No.191/2 of Manali Village, Thiruvottiyur Taluk, Trivellore District belonging to the petitioner-Temple without following the due process of law.



2. The learned counsel appearing on behalf of the petitioner states that the land belongs to the petitioner-Temple was encroached upon by the respondents 2 and 3 and thus the petitioner is constrained to move the present writ petition.

3. The learned counsel appearing on behalf of the respondents 2 and 3 now made a submission that the Name Board of the Corporation was fixed in the property belongs to the petitioner. Subsequently the Name Board was removed by the respondent-Corporation Authorities.

4. The Counter-affidavit of the respondents 2 and 3 also reveals that the Name Board commissioned in the property belongs to the petitioner-Temple was removed by the respondent-Corporation Authorities.

5. If at all any other dispute exists with reference to the title of the property, then the parties have to approach the Competent Civil Court of Law.



6. With the abovesaid observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

23-03-2023

Index : Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

WP No.35913 of 2



WEB COPY

1. The Secretary,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner,
Corporation of Madras,
Chennai-600 003.
3. The Zonal Officer,
Zonal II, Chennai Corporation,
Manali Zone,
Chennai-600 068.



WEB COPY

WP No.35913 of 2



S.M.SUBRAMANIAM, J.

Svn

WP 35913 of 2015

23-03-2023