



W.P.No.27635 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.27635 of 2023

P.Rathinasamy

.. Petitioner

Vs.

1. The District Collector
Erode District, Erode.

2. The Commissioner
Erode Corporation, Erode.

3. The Divisional Engineer
Highways Department
Construction and Maintenance
Netaji Nagar, Poonthurai Road
Erode – 638 002.

4. M.Venkatesan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 3 to remove the illegal encroachment of temple namely "Shri Ramapaktha Aanjaneya Thirukovil" situated at Town Survey No.2, Block No.18, Ward – E of Erode Town.



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For the Petitioner : Mr.B.M.Subash
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 & R3

Mr.Raja Mathivanan
for R2

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.B.M.Subash, learned counsel for the petitioner,
Mr.P.Muthukumar, learned State Government Pleader for respondents
1 & 3 and Mr.Raja Mathivanan, learned counsel for respondent 2.

2. Learned counsel for the petitioner submits that the encroachment has been made in Town Survey No.2, Block No.18, Ward – E of Erode Town. The said land is a Government poromboke land. The Temple is constructed in the said land. Even the Civil Suit, filed by the person who have constructed the Temple, has been dismissed and an appeal against the same is also dismissed.

3. Learned State Government Pleader submits that a survey would be conducted and if upon the survey, any encroachment is



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noticed, then the Authorities would take steps, in accordance with law, for the removal of the encroachment.

4. In the light of that, the writ petition stands disposed of.
There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
22.09.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESSAVALU, J.

(drm)

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