



W.P.No.31612 of 2018

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31612 of 2018

T.Sakthivel

.. Petitioner

Vs.

1. The District Collector
Cuddalore District
Cuddalore.
2. The Tahsildar
Veppur Taluk
Cuddalore District.
3. The Block Development Officer
Mangalur, Veppur Taluk
Cuddalore District.
4. Ramasamy
5. Saravanan
6. Balakumar
7. Poomalai
8. Murugan

.. Respondents



W.P.No.31612 of 2018

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 encroachment in the land belonging to the Sri Ayyanar Swamy in S.No.60/5, Sri Subramaniya Swamy Temple in S.No.24/7 and Sri Pidari Amman land in S.No.60/3A, 60/3B, 60/3C, Vinayagar Koil Temple land in S.No.105/8 in Chittari Village, Vepur Taluk, Cuddalore District made by the respondents 4 to 8.

For the Petitioner : No Appearance

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for R1 to R3

ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner. Heard Mrs.R.Anitha, learned Special Government Pleader appearing for respondents 1 to 3.

2. Learned Special Government Pleader has forwarded the status report given by the Tahsildar, Veppur. The same reads thus:

"Based on the village accounts and field enquiry. it has been found that all survey numbers are patta land given by certain sect (vagayara) people for the temple with divinity and the same land which "were cultivating by Tr.Ramasany S/o. Chinnu, Tr.Saravanan S/o. Ramasany, Tr.Balakumar S/o Ramasamy, Tr. Pazhamalai S/o. Chinnu, Tr.Murugan S/o. Poomalai for past four years. After that all the survey numbers are not cultivate by no one. The above said Survey Numbers are not maintained by



WEB COPY



W.P.No.31612 of 2018

the Panchayat or by the Hindu Religious Charitable Endowment Department. Instead each temple is maintained by particular sect of the village people of Chitheri Village.

The Survey Number 60/31 - 0.14.00 Ares is classified as Arulmigu Pidari Amman kovil and also classified as "Boosthithi road" at remark column. This Boosthithi Road is currently a public road and there is no encroachment on it.

Even if encroachments are found on the patta lands except the Boosthithi road the law does not allow the revenue department to remove the encroachments. The revenue department has no right to remove the encroachments on these temple lands also. These lands are not a government promboke land. These are classified as "Royat Dryland " which means patta land. Now all the lands are free from encroachment for past five years".

3. In view of the above, the writ petition stands disposed of.

There will be no order as to costs. Consequently, W.M.P.No.4874 of 2019 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

02.11.2023

Index : Yes/No
Neutral Citation : Yes/No

drm



W.P.No.31612 of 2018

WEB COPY

To

1. The District Collector
Cuddalore District
Cuddalore.
2. The Tahsildar
Veppur Taluk
Cuddalore District.
3. The Block Development Officer
Mangalur, Veppur Taluk
Cuddalore District.



WEB COPY



W.P.No.31612 of 2018

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

(drm)

W.P.No.31612 of 2018

02.11.2023