



W.P.No.3447 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.3447 of 2023

S.Sadhasivam

.. Petitioner

Vs.

1. The District Collector
Collectorate Buildings, Tiruppur.
2. The Tahsildar
Office of the Tahsildar
Palladam Taluk, Tiruppur District.
3. The Panchayat President
Malayampalayam
Ganapathipalayam Village
Tiruppur District.
4. Mariyamman Temple
Rep. by its Trustees
Malayampalayam, Ganapathipalayam Village
Palladam Taluk, Tiruppur District.

[R4 impleaded vide order dated 20.03.2023
in W.M.P.No.4668 of 2023
in W.P.No.3447 of 2023]

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the 1 to 3 respondents to consider the representation of the petitioner dated 19.12.2022 and 03.01.2023 for removal of encroachment and illegal construction being made by the 4th respondent in S.No.672 (Old S.F.No.262B) to an extent of 6300 Sq meters situated in Malayampalayam, Ganapathipalayam Village, Palladam Taluk, Tiruppur District and also to take necessary steps to protect and recover temple properties.

For the Petitioner : Mr.N.Umapathi

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for R1 and R2

Mr.Sam Jeya Raj Houston
for M/s.Sarabhauman Associates
for R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.N.Umapathi, learned counsel for the petitioner, Mr.K.Karthik Jegannath, learned Government Advocate for respondents 1 and 2 and Mr.Sam Jeya Raj Houston, learned counsel appearing for M/s.Sarabhauman Associates for respondent 3.

2. Learned Government Advocate submits that the Milk Society



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has made a construction in the Government poromboke natham land and not on the temple land, whereas, the contention of the petitioner is that the construction is made in the temple land.

3. The relief sought herein is to decide the representation filed by the petitioner and the same, it appears, to have been rejected on 16.08.2023. A copy of the same is also now furnished to the petitioner. It is for the petitioner to take further steps as may be permissible under law.

4. The writ petition, accordingly, stands disposed of. There shall be no orders as to costs. Consequently, W.M.P.No.3521 and 4675 of 2023 are closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

08.04.2024

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(drm)

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