



W.P.No.3716 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3716 of 2024

Mohan

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Petitioner

Vs.

1. The District Collector
Tiruvarur District.
2. The Tahsildar
Mannargudi Taluk
Tiruvarur District.
3. The Revenue Inspector
Kottur, Mannargudi Taluk
Tiruvarur District.
4. The Village Administrative Officer
Kottur Thottam, Mannargudi Taluk
Tiruvarur District.
5. The Block Development Officer
Kottur Block, Mannargudi Taluk
Tiruvarur District.
6. The Block Development Officer
Village Panchayat, Kottur Block
Mannargudi Taluk, Tiruvarur District.



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7. Bala Subramaniyan
8. Kaliyaperumal
9. Durairaj
10. Rajendran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the Respondents 1 to 6 to bring the Arasaladi pond comprised in Survey No.105/6 which is about 0.14.50 Ares and Pillaiyar Pond comprised in Survey No.113/0 which is about 0.56.00 Ares, situated at Kottur Thottam, Mannargudi tlauk, Tiruvarur District, for public usage by creating pathway and removing the encroachments thereon and its surroundings and to restore the water bodies to its original use.

For the Petitioner : Ms.S.Rithika
for Mr.M.Vijaya Ragavan

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
for R1 to R4

Mr.Abishek Murthy
Government Advocate
for R5 and R6



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.S.Rithika, learned counsel appearing for Mr.M.Vijaya Ragavan, learned counsel for the petitioner, Mr.C.Kathiravan, learned Special Government Pleader for respondents 1 to 4 and Mr.Abishek Murthy, learned Government Advocate for respondents 5 and 6.

2. It is submitted by learned Special Government Pleader that as far as S.No.105/5 is concerned, the same is a Government Poromboke Kuttai. There is no permanent structure in the said land. The land in S.No.113 is classified as Government Poromboke Kulam and one Thiru.Durairaj has built a Veeran Kovil for his deity in the bank of the pond. On 09.11.2023, the roof and windows were removed and the villagers assured to remove the idol within a period of fifteen days.

3. It is further submitted by learned Special Government Pleader, on instructions of the Tahsildar, that if within fifteen days the idol is not shifted, then the respondents will shift the idol by following the religious sentiments.



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4. The Tahsildar shall abide by his communication.

5. In light of the above, the writ petition stands disposed of.

There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

19.02.2024

Index : Yes/No
Neutral Citation : Yes/No

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5. The Block Development Officer
Kottur Block, Mannargudi Taluk
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6. The Block Development Officer
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