



W.P.No.10630 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.10630 of 2020

A/m. Pidarichelliamman Mahalakshmiyamman

Mariamman Temple,

Rep. by its Fit Person/Executive officer,

Madhavaram,

Chennai – 600 060.

...Petitioner

-Vs-

1. The Tahsildar

Gandhi Nagar,

Madhavaram,

Chennai – 600 066.

2. The Commissioner,

Corporation of Chennai,

Rippon Building,

Chennai – 600 003.

3. The Executive Engineer,

Ward No.27, Division -3,

Corporation of Chennai,

Perumal Kovil Street,

Madhavaram – 600 060.

4. The Assistant Engineer,

Ward No.27, Division-3,

Corporation of Chennai,

Perumal Kovil Street,

Madhavaram,

Chennai – 600 060.



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5. The Division Officer,
Division – 3,
Corporation of Chennai,
Thattankulam Road,
Madhavaram,
Chennai – 600 060.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to act upon the representation dated 16.06.2020 and to remove the tar road measuring 700 ft., & 24 ft., that was laid by them in the land belonging to the petitioner in Survey No.438 situated at Madhavaram, Chennai – 600 060.

For Petitioner	: Mr.Wilson For Mr.A.S.Kailasam
For Respondents	
For R1	: Mr.P.Gurunathan Additional Government Pleader
For R2 to R5	: Mr.G.T.Subramanian Standing Counsel

ORDER

This writ petition has been filed for direction, directing the respondents to consider the representation submitted by the petitioner seeking to remove the thar road measuring 700 ft., & 24 ft., that was laid by them in the land belonging to the petitioner in Survey No.438 situated at Madhavaram, Chennai.

2. Heard the learned counsel appearing on either side and



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perused the materials placed before this Court.

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3. The petitioner claims that the land comprised in survey No.438 situated at Madhavaram, Chennai, belongs to the petitioner temple. There is an unpaved path that leads from Milk Colony High Road to Chelliamman Nagar. The petitioner temple is situated on the side of the unpaved path. It comes within the land belongs to the temple comprised in Survey No.438. The said pathway is used by the devotees for access to temple and by the farmers who use the lands on either side of the pathway for agriculture. While being so, at the request of the general public, now the said road has been put up with thar and therefore, the request made by the petitioner cannot be considered. The writ petition is devoid of merits and liable to be dismissed.

4. Accordingly, the Writ Petition stands dismissed. There shall be no orders as to costs.

12.09.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
rts



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G.K.ILANTHIRAIYAN. J.

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rts

To

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