



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.29686 of 2019

and

W.M.P.No.29582 of 2019

R.Uma Mageswari

... Petitioner

Vs.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
- 3.The Thasildar,
Pennagaram Taluk,
Pennagaram,
Dharmapuri District.
- 4.The Executive Officer,
Pennagaram Town Panchayat,
Pennagaram,



Dharmapuri District.

5.The Inspector of Police,
Pennagaram Police Station,
Pennagaram, Dharmapuri District.

6.R.Selvam

7.G.Pavunesan

8.R.Venkatesan

9.A.Vairavan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to forthwith take action and remove the encroachment in the public road made by the respondents 6 to 9 herein by putting up unauthorized construction of temple in Kollamariamman Koil Street in Survey No.39/2, Pennagaram Village and Taluk, Dharmapuri District.

[Prayer amended as per order dated 22.01.2020 made in WMP.No.545/2020 in WP.No.29686/2019]

For Petitioner	: Mr.P.Valliappan Senior Counsel M/s.P.V.Law Associates
For R1 to R3, R5	: Mr.A.Selvendran Special Government Pleader
For R4	: Mr.V.Jayaprakash Narayanan
For R6 to R9	: No Appearance



ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The amended relief sought for in the present writ petition is to direct the respondents 1 to 5 to forthwith take action and remove the encroachment in the public road made by the respondents 6 to 9 by putting up unauthorized construction of temple in Kollamariamman Koil Street in Survey No.39/2, Pennagaram Village and Taluk, Dharmapuri District.

2. With reference to the relief sought for in the present writ petition, Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of the respondents 1 to 3 and 5 would submit that the Revenue Authorities conducted survey based on the revenue records. The subject lands are classified as “Pattai” (Road Poromboke) in the records.

3. In view of the fact that it is a Road Poromboke, the respondents 1 to 4 are directed to remove all the encroachments in the Road Poromboke and maintain the same free from encroachments for the public good. The said



exercise is directed to be completed within a period of twelve (12) from the date of receipt of a copy of this order.

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4. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S., J.] [K.R.S., J.]
18.03.2024

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Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

To

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
- 3.The Thasildar,
Pennagaram Taluk,
Pennagaram,
Dharmapuri District.
- 4.The Executive Officer,
Pennagaram Town Panchayat,
Pennagaram, Dharmapuri District.



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5. The Inspector of Police,
Pennagaram Police Station,
Pennagaram, Dharmapuri District.

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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

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