



WP No.33061 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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and

WMP No.35825 of 2024

N.Periyasamy

: Petitioner

versus

- 1.The District Collector,  
Cuddalore District
- 2.The Chief Engineer,  
Public Works Department,  
(water Resources Organisation)  
Cuddalore District
- 3.The Executive Engineer,  
Public Works Department,  
WRO, Veppur, Cuddalore District
- 4.The Tahsildar,  
Veppur Taluk, Cuddalore District
- 5.The Executive Officer,  
Veppur Town Panchayat, Cuddalore District



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6.The Inspector of Police,  
Veppur Police Station,  
Veppur, Cuddalore District

7.Patcha Muthu

8.Mayavan

9.Mani

10.Saravanan

11.Mani

12.Periyasamy

13.Mahalingam

14.Chengan

15.Manikandan

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 4th and 5th respondent herein to consider the petitioner's representation dated 18.10.2024 and consequently directing them to stop the illegal construction work and evict the encroachment made by the 7 to 15 respondents in lake side pathway in survey No.52 at Maligaimedu Village, Veppur Taluk, Cuddalore District.

For Petitioner : Mr.M.Vijayamehanath

For Respondents 1 to 5 : Mr.A.Edwin Prabhakar,  
State Government Pleader

For Respondent No.6 : Mr.A.Gokul Krishnan,



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Additional Public Prosecutor

For Respondents 7 to 15 :

Mr.K.Krishnan

ORDER

(Order of the Court was made  
by the Hon'ble Chief Justice)

The temple/Ganesha idol, which is the subject-matter of this petition was also subject-matter in another petition, being Contempt Petition No.1759 of 2024.

2. Counsel for petitioner states that he is not aware of any petition.

3. Counsel for respondents tenders some photographs and states that the other petition relates to some other village and not the village in question.

4. We are not going into any of those aspects. At the same time, we take on record the communication dated 13.11.2024 from the Tahsildar to the State Government Pleader, in which paragraphs 2 and 3 read as



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under:  
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*“2. I submit that, Maligaimedu village, Survey No.52 has been classified as Pattai (road) in village accounts. That is a soil pathway situated along side of highway. On side of this road, an overhead water tank, a library and a water purification plant is constructed by the village panchayat for Adi Dravidar settlements. On the other side of the soil road, i.e. between Patai and State highways, there are two pipal trees, which are about more than 50 years old. In one of them, west side of the tree a Shivalinga and Nandi have been placed for a long time. There is no worship here. On the eastern side of tree 2 feet tall Ganesha idol is placed and worshipped by the people of the nearby Adi Dravidar Colony area.*

*3. I submit that, based on the request of the petitioner, the land in Survey No.52 will be measured with firka surveyor, and if there is any encroachment that is obstructing traffic, vehicle and people movement steps will be taken to remove it.”*

5. In view thereof, petition disposed of. There will be no order as to costs. Consequently, the interim application also stands disposed of.

**(K.R.SHRIRAM, C.J.)**

**(SENTHILKUMAR RAMAMOORTHY, J.)**



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Index : Yes/No  
Neutral Citation : Yes/No  
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