



WEB COPY



W.P.No.39712 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.39712 of 2024

and

W.M.P.No.43010 of 2024

Shri Harihara Periyanna Ayyannnar Temple
Represented by its Hereditary Trustee
J.Muralidaran
South Street, Thattampalayam
Melkumaramangalam Post, Panruti Taluk
Cuddalore – 607 205

...Petitioner

Vs

1. The District Collector
Gundu Salai Road, Alpet
Manjakuppam, Cuddalore District.
2. The District Revenue Officer
Cuddalore District.
3. The Block Development Officer
(Village Panchayat)
Anna Gramam Panchayat Union
Panrutti Taluk, Cuddalore District.
4. The President
Thattampalayam Panchayat
Thattampalayam, Panruti Taluk
Cuddalore District.

...Respondents



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Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents not to interfere or put up any further constructions in S.Nos.252/1 and 252/3 admeasuring 3.06 acres in Thattampalayam, Melkumaramangalam Post, Panruti Taluk, Cuddalore belonging to the petitioner Temple in pursuance of the representation dated 07.11.2024.

For Petitioner	:	Mr.T.Balaji
For Respondents	:	Mr.M.Rajendiran Additional Government Pleader for R1 to R3 Mr.P.Harish Government Advocate, for R4

ORDER

The petitioner claims that the fourth respondent is encroaching upon his property and hence he has sought for a writ of mandamus restraining the fourth respondent from proceeding further with the construction in S.Nos.252/1 and 252/3 of Thattampalayam Village, Melkumaramangalam Post, Panruti Taluk, Cuddalore District.

2. Whether the 4th respondent is encroaching upon the Temple lands or what is the extent of encroachment cannot be gone into by way



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of writ petition. The appropriate remedy is to file a suit for title and for injunction before the jurisdictional Civil Court. Hence, I am not inclined to entertain the writ petition.

3. At this stage, Mr.T.Balaji, learned counsel for writ petitioner pleads that some interim protection can be granted to the petitioner since the Courts are closed for the vacation.

4. Both parties shall maintain *status-quo* for a period of four weeks. The Civil Court shall decide the suit and any interim applications on the basis of merits of the applications filed before it.

Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Index:Yes

Non-speaking order

Neutral Citation : No

mk / gpa



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V.LAKSHMINARAYANAN.J.,

mk / gpa

To

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