



WEB COPY

W.P.(MD)No.18065 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.18065 of 2024

P.Radha Krishnan

... Petitioner

-VS-

- 1.The District Collector,
Office of the District Collector,
Sivagangai District - 630562.
- 2.The Divisional Engineer,
Construction and Maintenance,
State Highways,
District Collector Office Campus,
Sivagnagai District - 630562.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Joint Commissioner Office,
Thiruppattur Road,
Sivagangai - 630561.
- 4.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District- 630702.
- 5.The Commissioner / Block Development Officer,
Ilayangudi Panchayat Union,
Sivagangai District - 630702.



W.P.(MD)No.18065 of 2024

6.M.Venkatesan Chettiar
The Hereditary Trustee,
Arulmigu Muthumariamman Temple,
Thayamangalam,
Ilayangudi Taluk,
Sivagnagai District – 630709.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to take necessary action to remove the encroachments made by the private individuals upon the land in Survey No.72 situated at Thayamangalam Revenue Group, Thayamangalam Village, Ilayangudi Taluk, Sivagangai District, in accordance with law within the time stipulated by this Court.

For Petitioner	:	Mr.N.Senthilnathan
For R1 to R5	:	Mr.P.Thilak Kumar Government Pleader
For R6	:	Mr.T.S.Mohammed Mohideen

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.Thilak Kumar, learned Government Pleader, takes notice for the respondents 1 to 5. Mr.T.S.Mohammed Mohideen, learned counsel, takes notice for the sixth respondent.



WEB COPY



W.P.(MD)No.18065 of 2024

2. Prayer in this Writ Petition reads as follows:-

"To issue a Writ of Mandamus directing the respondents to take necessary action to remove the encroachments made by the private individuals upon the land in Survey No.72 situated at Thayamangalam Revenue Group, Thayamangalam Village, Ilayangudi Taluk, Sivagangai District, in accordance with law within the time stipulated by this Court."

3. Mr.T.S.Mohammed Mohideen, learned counsel appearing for the sixth respondent would submit that out 16 Acres and 27 Cents of land belongs to the sixth respondent Temple, 42 cents of land have been found to be encroached upon. The learned counsel for the sixth respondent would further submit that, since the Temple's consecration is scheduled to be held on 22.08.2024, necessary action will be taken immediately after the consecration.

4. In view of the above said statement made by the learned counsel for the sixth respondent, this Writ Petition is closed for the present, leaving it open for the petitioner to seek re-opening, if the encroachments have not been removed within the reasonable time after the consecration. No costs.

NCC : No
Index : No
Internet : Yes

[R.S.M., J.] [L.V.G., J.]
05.08.2024



W.P.(MD)No.18065 of 2024

WEB COPY

To:

- 1.The District Collector,
Office of the District Collector,
Sivagangai District - 630562.
- 2.The Divisional Engineer,
Construction and Maintenance,
State Highways,
District Collector Office Campus,
Sivagnagai District - 630562.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Joint Commissioner Office,
Thiruppattur Road,
Sivagangai – 630561.
- 4.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District- 630702.
- 5.The Commissioner / Block Development Officer,
Ilayangudi Panchayat Union,
Sivagangai District - 630702.



WEB COPY



W.P.(MD)No.18065 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

smn2

W.P.(MD)No.18065 of 2024

05.08.2024