



W.P.(MD).No.25038 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.25038 of 2018
and
W.M.P.(MD).No.22699 of 2018

S.Muthaiah

... Petitioner

Vs.

- 1.The District Collector cum
Panchayat Inspector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Sattur Taluk,
Virudhunagar District.
- 3.The Block Development Officer,
Virudhunagar Panchayat Union,
Virudhunagar.
- 4.The Special Officer,
E.Muthulingapuram Village Panchayat,
Sattur Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to take necessary steps to remove the unauthorized occupation made by the 4th respondent in the



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land bearing S.No.117 situated at E.Muthulingapuram, Sattur Taluk, belonging to the Sakkadevi temple by considering the petitioner's representation dated 04.12.2018 within a stipulated time in accordance with law.

For Petitioner : Mr.M.Prabu

For R-1 to R-3 : Mr.P.Thilak Kumar

Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

Claiming that the fourth respondent herein had encroached into the land comprised in S.No.117, E.Muthulingapuram, Sattur Taluk, which belongs to the Sakkadevi temple, the present Writ Petition has been filed for removal of encroachment.

2. In the counter affidavit filed by the second respondent, it is stated in paragraph 7 that the lands comprised in S.No.117 is classified as Government poramboke – Sakkammal Temple as per UDR “A” Register. It is further stated that the property is not a temple poramboke, but a Government land, in which, the Rural Development Officers have constructed the buildings. In view of such statements, the claim of the petitioner, that the fourth respondent has encroached upon the subject lands, appears to be on a misconception of facts. As such, the prayer sought for in the Writ Petition does not deserve consideration.



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

(M.S.R.,J.) (A.D.M.C.,J.)
11.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

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Virudhunagar District,
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and
A.D.MARIA CLETE,J.

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