



W.P.No.16597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.16597 of 2025

P.Selvam

... Petitioner

-VS-

1. The District Collector,
Cuddalore District.
2. The Revenue Divisional Officer,
Virudachalam,
Cuddalore District.
3. The Commissioner,
Virudachalam Municipality,
Virudachalam-606 001
Cuddalore District.
4. The Tahsildar,
Virudachalam Taluk,
Cuddalore District.
5. M.S.Samsudeen

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representations dated 01.04.2025 and 18.04.2025 submitted by the petitioner to remove the unauthorized construction made in S.No.76, Old S.No.103 to and extent of 65 cents.



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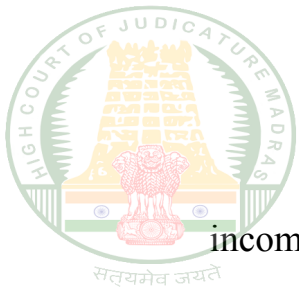
For Petitioner : Mr.M.Elumalai
For R1, R2 & R4 : Mr.M.Venkateswaran
Spl. Govt. Pleader
For R3 : Mr.P.Srinivas,
Standing Counsel
For R5 : Mr.S.Arivazhagan

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the respondents to consider the representations dated 01.04.2025 and 18.04.2025 submitted by the petitioner to remove the unauthorized construction made in S.No.76, Old S.No.103 to and extent of 65 cents.

2. It is the case of the petitioner that a Temple by name Thuropathai Amman Temple, belonging to Sengudhar Community, is in existence for more than 150 years and the petitioner, being a Secretary of the Sangam, has been managing the affairs and day-to-day activities of the Temple. Some of the lands of the Temple comprised in S.No.76, Old Survey No.103 to the extent of 65 cents have been let out to tenants for generating



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income for the Temple. It is further case of the petitioner that one of the Tenants, namely, Saviour Raj filed a suit in O.S.No.254 of 2009 before the I Additional District Munsif Court, Virudachalam and the said suit was dismissed on 21.11.2013. The appeal preferred against the judgment and decree in A.S.No.15 of 2014 also came to be dismissed on 16.03.2015. Similarly, other suits filed in O.S.Nos.27, 28 and 30 of 2019 before the Sub Court, Virudachalam were dismissed on 12.10.2023 by way of common judgment. Now, the main grievance of the petitioner is that the 5th respondent and other persons are putting up a construction on the Temple land and swiftly proceeding with the illegal construction without any right or title over the property. As a result, there is a tensed situation prevailing in the locality. Though the petitioner has given a representation dated 01.04.2025 followed by another one dated 18.04.2025, no action has been taken by the respondents to remove the illegal construction put by by the 5th respondent. Hence, the petitioner is before this Court.

3. Learned Special Government Pleader appearing for the respondents 1, 2 & 4 and the learned Standing Counsel for R3 stated that a



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reasonable time may be granted to the respondents for considering and taking action on the representations dated 01.04.2025 and 18.04.2025 respectively made by the petitioner.

4. The limited scope of the relief sought for by the petitioner is to consider his representations dated 01.04.2025 and 18.04.2025. It is seen from the averments in the petition that several suits were filed and the same were stated to be dismissed on merits. The 5th respondent has also filed a separate W.P.No.18932 of 2025 with a prayer not to take any coercive steps. Hence, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representations dated 01.04.2025 and 18.04.2025 of the petitioner, by giving an opportunity of personal hearing to the petitioner, R5 and other encroachers and thereafter, take a suitable decision in respect of removal of unauthorized construction put up by the 5th respondent and others in S.No.76, Old Survey No.103 to the extent of 65 cents, in accordance with law. Such an exercise shall be carried out within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of.

WEB CON No costs.

(J.N.B.J.) (M.J.R,J.)
08.07.2025

Index: Yes / No

Internet: Yes / No

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To:

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