



W.P.No.26966 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 23.07.2025

C O R A M

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

W.P.No.26966 of 2025 and
W.M.P.No.30270 of 2025

Mr.Athavan

... Petitioner

-VS-

1. The District Collector,
Mayiladuthurai,
Mayiladuthurai District.
2. The District Revenue Officer,
Office of District Revenue,
Mayiladuthurai, Mayiladuthurai District.
3. The Revenue Divisional Officer,
Thiruthuraipoondi Road, Pattamangalam,
Sirkali Taluk, Mayiladuthurai District.
4. The Tahsildar,
Office of Tahsildar,
Pattamangala Street,
Sirkali Taluk, Mayiladuthurai District.
5. The Block Development Officer,
Kodakkaramoolai, Sirkali Taluk,
Mayiladuthurai District.
6. Ananth
7. Veeramani



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8. Ramaiyan

9. Ravi

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the illegal construction of Temple constructing upon the petitioner's land comprised in S.No.485 situated at Palayapalayam Village, Sirkali Taluk, Mayiladuthurai District by considering the petitioner's representation dated 26.06.2025.

For Petitioner : Mr.G.S.Mani

For R1 to R5 : Mr.M.Venkateswaran

Spl. Govt. Pleader

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the respondents 1 to 5 to remove the illegal construction of Temple constructing upon the petitioner's land comprised in S.No.485 situated at Palayapalayam Village, Sirkali Taluk, Mayiladuthurai District by considering the petitioner's representation dated 26.06.2025.

2. Mr.M.Venkateswaran, learned Special Government Pleader takes notice for R1 to R5. Notice to R6 to R9 is dispensed with, as no adverse order is going to be passed against them. By consent, the Writ



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Petition itself is taken up for final disposal at the admission stage.

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3. It is the case of the petitioner that after the demise of his father, the property in question was inherited by his legal heirs and the petitioner is one of the legal heirs. According to the petitioner, other legal heirs executed a Release Deed dated 17.02.2025 in favour of the petitioner and as such, he is the absolute owner of the entire extent of the property. Revenue records have also been mutated and patta has been issued in the name of the petitioner. While so, the respondents 6 to 9 trespassed into the land of the petitioner and started constructing a Temple in the patta land of the petitioner. When it was brought to the notice of the authorities concerned, they have not stopped the illegal activities of the respondents 6 to 9. The petitioner also filed O.S.No.112 of 2025 before the District Munsif, Sirkali for recovery of possession and mandatory injunction, which is pending for adjudication. The respondents 6 to 9 also proposed to conduct festival on the encroached patta land so as to legalize their illegal construction. Though the petitioner has given a representation dated 26.06.2025 to the respondents 1 to 5 to forbear R6 to R9 from conducting



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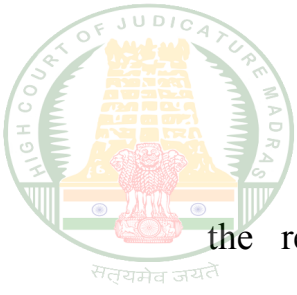
festival from 14.07.2025 to 21.07.2025, it did not evoke any response.

Hence, the petitioner is before this Court.

4. Though the petitioner has come out with a larger prayer, the learned counsel for the petitioner would submit that it would suffice, if the respondents 1 to 5 are directed to consider the representation of the petitioner.

5. Learned Special Government Pleader appearing for the respondents 1 to 5 stated that a reasonable time may be granted to the respondents 1 to 5 for considering and passing appropriate orders on the representation of the petitioner.

6. Considering the facts and circumstances of the case and also the submission of the counsel for the petitioner, we deem it fit that it would suffice to direct the respondents 1 to 5 to consider the representation of the petitioner dated 26.06.2025. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the respondents 1 to 5 to consider



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the representation dated 26.06.2025 of the petitioner, by giving an opportunity of personal hearing to the petitioner and R6 to R9 and thereafter, pass necessary orders in accordance with law. Such an exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

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

No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B,J.,) (M.J.R,J.,)
23.07.2025

Index: Yes / No
Internet: Yes / No
Speaking Order/Non Speaking Order
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J.NISHA BANU, J.
AND



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To:

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M.JOTHIRAMAN, J.

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