



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Wednesday, the First day of February Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

WP(MD) Nos.22488 of 2015 & 16897 of 2017

C.NEDUNCHEZHIAN

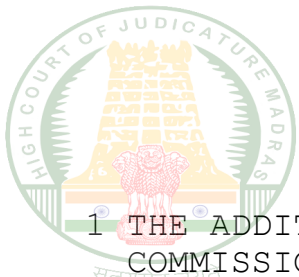
... PETITIONER
IN WP (MD) .22488/2015

... PETITIONER/PETITIONER
IN WP (MD) .16897/2017

Vs

- 1 THE DISTRICT COLLECTOR
COLLECTORATE,
CUTCHERY ROAD, THANJAVUR DISTRICT.
- 2 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICE,
DR.MURTHY ROAD, KUMBAKONAM 612 001
- 3 THE TAHSILDAR
TALUK OFFICE,
DR.MURTHY ROAD, KUMBAKONAM 612 001
- 4 THE COMMISSIONER
KUMBAKONAM MUNICIPALITY, DR.MURTHY ROAD,
KUMBAKONAM 612 001
- 5 THE JOINT COMMISSIONER
HR & CE DEPARTMENT, MAYLADUTHURAI,
THANJAVUR DISTRICT.
- 6 THE ASSISTANT COMMISSIONER
KUMBAKONAM
- 7 THE EXECUTIVE OFFICER
A/M. SRISOMESWARASWAMY TEMPLE,
KUMBAKONAM

... RESPONDENTS
IN WP (MD) .22488/2015



1 THE ADDITIONAL CHIEF SECRETARY,
COMMISSIONER LAND ADMINISTRATION,
EZHILAGAM, CHEPAUK, CHENNAI-600 005.

2 THE EXECUTIVE OFFICER,
A/M.SRI SOMESWARASWAMY TEMPLE,
KUMBAKONAM.

... RESPONDENTS/RESPONDENTS
IN WP(MD).16897/2017

PRAYER IN WP (MD) .22488/2015:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Mandamus forbearing the respondents from in any manner interfering with the Petitioner's Properties in T.S.No.74/1, 74/2, 74/3 and 74/6 in Kumbakonam Town (Pudur Diwan Wadathottam), Moopakovil Vattam, Kumbakonam Taluk and more specifically under the guise of removing / evicting encroachments of the properties belonging to the 7th respondent temple and for other suitable orders as thereby render justice.

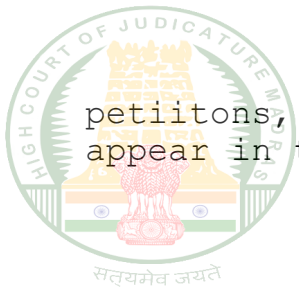
PRAYER IN WP (MD) . 16897/ 2017 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a writ of certiorari calling for the records of the proceedings in K 1/28713/2015 dated 21.12.2016 on the file of the first Respondent and quash the same as illegal, incompletent.

COMMON ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.H.LAKSHMI SHANKAR, Advocate for the petitioner in both Petitions and of Mr.K.SUBBARAJ, Special Government Pleader on behalf of the Respondents No.1 to 3 & 5 to 7 for in WP(MD).22488/2015 & for the 1st Respondent in WP(MD).16897/2017 and Mr.V.CHANDRASEKAR, Advocate for the 2nd Respondent in WP(MD).16897/2017 and none appeared for the 4th Respondent side either in person or by an advocate in WP(MD).22488/2015 the court made the following order:-

Though the Writ Petitions filed in 2015 & 2017 respectively, till date, the official respondents have not filed counter.

Post on 08.02.2023 at 2.15p.m for filing counter by the official respondents in both the cases. If no Counter is filed, then cost will be imposed. Considering the issue involved in the writ



petitions, we direct the learned Additional Advocate General to appear in this matter.

sd/-
01/02/2023

/ TRUE COPY /

WEB COPY

01/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

BALA

TO

- 1 THE DISTRICT COLLECTOR
COLLECTORATE,
CUTCHERY ROAD, THANJAVUR DISTRICT.
- 2 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICE,
DR.MURTHY ROAD, KUMBAKONAM 612 001
- 3 THE TAHSILDAR
TALUK OFFICE,
DR.MURTHY ROAD, KUMBAKONAM 612 001
- 4 THE COMMISSIONER
KUMBAKONAM MUNICIPALITY, DR.MURTHY ROAD,
KUMBAKONAM 612 001
- 5 THE JOINT COMMISSIONER
HR & CE DEPARTMENT, MAYLADUTHURAI,
THANJAVUR DISTRICT.
- 6 THE ASSISTANT COMMISSIONER
KUMBAKONAM
- 7 THE ADDITIONAL CHIEF SECRETARY,
COMMISSIONER LAND ADMINISTRATION,
EZHILAGAM, CHEPAUK, CHENNAI-600 005.

COPY TO:

THE ADDITIONAL ADVOCATE GENERAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

WP(MD) Nos.22488 of 2015 &
16897 of 2017
Date :01/02/2023

SA/BUC/SAR. /01.02.2023/3P/9C