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W.P.(MD)NO.5852 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.5852 of 2023

Theni Melapettai Hindu Nadargal
Uravinmurai,
Rep. by its President,
T.Rajmohan,
No.1100, Periyakulam Road,
Theni District – 625 531,
Theni.

... Petitioner

Vs.

1. The Executive Engineer,
Water Resources Department (Manjalaru Division),
Periyakulam,
Theni District.

2. The Assistant Engineer,
Water Resources Department (Irrigation Division),
Theni,
Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from demolishing the petitioner's temple viz., Selva Vinayagar Temple situated



at S.No.50, Allinagaram Municipality, Theni Taluk, Theni District
without due process established by law.

For Petitioner : Mr.M.Ajmal Khan,
Senior Counsel,
for Ms.H.Jasima Yasmin.

For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned Senior counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents.

2. The prayer made in the writ petition is that the petition mentioned temple should not be demolished without following due process.

3. No exception can be taken to the said request. If the petition mentioned temple has been put up on the water body, then it has to be necessarily demolished. Of course before doing so, the authorities will adhere to due process of law.



WEB COPY 4. This writ petition stands disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

8th JUNE 2023

NCS : Yes / No

Index : Yes / No

Internet : Yes / No

PMU

To:

1. The Executive Engineer,
Water Resources Department (Manjalaru Division),
Periyakulam,
Theni District.
2. The Assistant Engineer,
Water Resources Department (Irrigation Division),
Theni,
Theni District.



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