



WP(MD)No.28634 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.28634 of 2023
and
WMP(MD)No.24714 of 2023

V.Jegadeespondian

.. Petitioner

v.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Commissioner,
Rameshwaram Municipality,
Rameshwaram,
Ramanathapuram District.

3.The Joint Commissioner,
Arulmighu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.

4.The Executive Officer,
Arulmighu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.

.. Respondents



WP(MD)No.28634 of 2023

WEB CODE

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the fourth respondent from installing cage and barrier in front of the petitioner's Tiffin Centre, namely, “Lakshmi Vilas Tiffin Centre” at footway situated in East Car Street, Rameshwaram, Ramanathapuram District, by considering the petitioner's representations dated 16.11.2023 and 24.11.2023.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.P.Subburaj,
Special Government Pleader
for R.1 to R.3

Mr.S.Ramesh for R.4

ORDER

The petitioner is running a tiffin stall at East Car Street, Rameshwaram, in S.No.627/732. The shop belongs to one Palanivel and the petitioner is running the same by obtaining a lease from the said Palanivel from 28.04.2022. The petitioner has filed this writ petition with an



apprehension that the fourth respondent is attempting to put-up a cage and barrier on the pavement in front of his tiffin centre, which may affect the ingress and egress to his tiffin centre.

2.In response to this writ petition, the learned Standing Counsel for the fourth respondent submitted that the devotees who are visiting the Temple are suffering due to the hot weather, particularly during the summer season. Therefore, the Temple Administration is providing a shelter for the devotees on the pavements around the Temple in order to facilitate them to access the Shower Wells even during the hot summer. He further submitted that they are not having any intention to put-up any cage, as apprehended by the petitioner and that the petitioner's apprehension is unwarranted. It is only a roof, which has been put-up on the pavements, for which, they will be putting poles and not a cage, as apprehended by the petitioner.

3.The Executive Officer of Arulmighu Ramanathaswamy Thirukovil, Rameshwaram / fourth respondent is present before this Court and also



confirmed that they are not having any idea of putting up any cage preventing the ingress and egress to the petitioner's shop.

4.This Court considered the rival submissions made on either side and perused the materials placed on record.

5.The Temple Administration appears to have putting up some shed in the pavements in order to protect the devotees from the sunlight and rain. Learned Standing Counsel as well as the Executive Officer of Arulmighu Ramanathaswamy Thirukovil have confirmed that they are not having any idea to put-up any cage preventing the ingress and egress to the petitioner's tiffin centre.

6.Learned Counsel for the petitioner further apprehended that if the sheds are put-up, he cannot develop his shop in future. In the event, if the petitioner is obtaining any permission from the competent authority / Municipality for any developments in his property, the fourth respondent shall facilitate the same.



WP(MD)No.28634 of 2023

WEB COPY

In fine, by recording the submission made by the fourth respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
gk

14.12.2023

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Commissioner,
Rameshwaram Municipality,
Rameshwaram,
Ramanathapuram District.
- 3.The Joint Commissioner,
Arulmighu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.
- 4.The Executive Officer,
Arulmighu Ramanathaswamy Thirukovil,
Rameshwaram,
Remanathapuram District.



WEB COPY



WP(MD)No.28634 of 2023

B.PUGALENDHI, J.

gk

WP(MD)No.28634 of 2023

14.12.2023