



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2015

CORAM

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.10336 of 2013

and

M.P (MD) Nos.1 & 2 of 2013

K.Narayanan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Ambasamudram,
Tirunelveli District.

3.Village Administrative Officer,
Adaichani Village,
Ambasamudram Taluk,
Tirunelveli District.

4.R.Ganesan

5.Saraswathi
The Tahsildar,
Ambasamudram,
Tirunelveli District.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to refrain from demolishing the 'Sri Gopalendra Yadhuvarga Brindhavanam' temple also famously called as 'Athmalingeswarar Temple' in Survey No.299/4, Adachani Village, Ambasamudram Taluk, Tirunelveli District and evicting the petitioner without following the legal requirements of Law.

For Petitioner

: No appearance

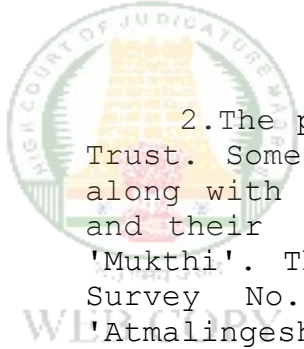
For R1 to R3

: Mr.R.Velmurugan

Government Advocate

ORDER

The petitioner has come up with this writ petition to direct the respondents to refrain from demolishing the 'Sri Gopalendra Yadhuvarga Brindhavanam' temple also famously called as 'Athmalingeswarar Temple' in Survey No.299/4, Adachani Village, Ambasamudram Taluk, Tirunelveli District and evicting the petitioner without following the legal requirements of Law.



2.The petitioner is one of the Trustee of the Ramagopalan Charitable Trust. Some 200 years back the Acharyar by name Ramanujam Pattachariyar along with 5 other disciples attained 'Mukthi' in the Adaichani Village and their 'Jeeva Samadhi' were constructed upon the place of attaining 'Mukthi'. The said land was classified as Natham Porampoke and assigned Survey No.299/4. The said 'Jeeva Samadhi' is commonly called as 'Atmalingeshwarar Temple' by the people of village.

3.According to the petitioner, the respondents are trying to demolish the said temple without following the procedure contemplated by law. The grievance of the petitioner is that the respondents, without following the procedure and in high handed manner, are trying to the demolish the temple.

4.According to the respondents, the petitioner has encroached and constructed temple in the Government land. Considering the same, the respondents are directed to follow the procedure as per law and after giving opportunity to the petitioner to take action against the petitioner.

5.In view of the above observations, the writ petition is disposed of. No costs. Consequently, M.P(MD) Nos.1&2/2013 are also closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Ambasamudram,
Tirunelveli District.

3.Village Administrative Officer,
Adaichani Village,
Ambasamudram Taluk,
Tirunelveli District.

4.Saraswathi
The Tahsildar,
Ambasamudram,
Tirunelveli District.

+1cc to K.J.Associates SR.No.44884

+1cc to The Special Government Pleader, Madurai. SR.No.45207

W.P. (MD) No.10336 of 2013
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