



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

Writ Petition (MD) No.6055 of 2015**and****MP(MD)No.1 Of 2015**

H.A.Sudhakar

... Petitioner

Vs.

- 1.The Joint Commissioner,
HR and CE,
Tirunelveli Zone,
Palayamkottai,
Tirunelveli District.
- 2.The commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli-627 001
- 3.The Temple Executive Officer,
Arulmigu Swami Nellaiappan Temple,
Tirunelveli Town-627 006

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus restraining the 2nd respondent from putting up any construction work of latrines and toilets within the precincts of Tirunelveli Arulmigu Swami Nellaiappan Temple Tower and to direct the respondents to construct the same at any of the temple land away from the Northern Tower of the temple by considering the representation dated 09.04.2015 within a time frame as fixed by this Honourable Court.

For Petitioner	: Mr.D.Saravanan
For R1	: Mr.M.Alaga thevan Special Government Pleader
For R2	: Mr.Aayiram K. Selva Kumar Government Advocate
For R3	: Mr.T.Selvan

O R D E R

This writ petition has been filed seeking issuance of writ of mandamus restraining the 2nd respondent from putting up any construction work of latrines and toilets within the precincts of Tirunelveli Arulmigu Swami Nellaiappan Temple Tower and to direct the respondents to construct the same at any of the temple land away from the Northern Tower of the temple by considering the representation dated 09.04.2015 within a time frame as fixed by this Honourable Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the first respondent and the learned Government Advocate appearing for the second respondent and the learned counsel appearing for the third



respondent.

3.The third respondent has filed an affidavit. It is stated in paragraph No.4 of the said affidavit as follows:

"I file this affidavit seeking permission of this Hon'ble Court to convert the building to the other usage such as Cloak room, Chappel stand instead of demolishing the building".

4. In view of the affidavit filed by the third respondent, nothing survives for consideration in this writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected M.P.(MD) No. 1 of 2015 is also dismissed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Joint Commissioner, HR and CE, Tirunelveli Zone,
Palayamkottai, Tirunelveli District.

2.The commissioner, Tirunelveli Municipal Corporation,
Tirunelveli-627 001.

3.The Temple Executive Officer,
Arulmigu Swami Nellaiappar Temple,
Tirunelveli Town-627 006

+1 CC to M/s.D.SARAVANAN, Advocate, SR No. 50139

+1 CC to M/s.T.SELVAN, Advocate, SR No. 50786

+1 CC to M/s.AAYIRAMK.SELVAKUMAR, Advocate, SR No. 50199

CM

PSM/SV-MMS/20.04.2017/2P/7C

Writ Petition (MD) No.6055 of 2015

and

MP (MD) No.1 of 2015

05.04.2017