

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD].No.15660 of 2013
and
M.P. (MD) No.1 of 2013

P.S.Chellaiya

: Petitioner

Vs.

1. The District Collector,
Kanyakumari District, Kanyakumari.
2. The Superintendent of Police,
Kanyakumari District, Kanyakumari.
3. The Inspector of Police,
Susenthiram Police Station,
Kanyakumari District, Kanyakumari.

4. S.Ramakrishnan

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to forbear the respondent Nos.1 and 2 from permitting the respondent No.4 to construct the temple in the petitioner land S.No.928/19 in Mathusoothanapuram Village, Keelakrishnanputhur (via), Agasteeswaram Taluk, Kanyakumari District without hearing the petitioner.

For Petitioner : Mr.S.Rajasekar

For Respondents 1to3 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader**O R D E R**[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to restrain the fourth respondent from putting up a temple in his patta land.



2. The prayer is to direct the first and second respondents to restrain the fourth respondent from initiating action for putting up the temple. There is no question of issuing a Mandamus in a matter of this nature. It is always open to the petitioner to approach the concerned Civil Court for appropriate relief.

3. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District, Kanyakumari.
2. The Superintendent of Police,
Kanyakumari District, Kanyakumari.
3. The Inspector of Police,
Susenthiram Police Station,
Kanyakumari District, Kanyakumari.

+1cc to M/S. T.LAJAPATHI ROY, Advocate, SR.No.64210.
+1cc to Special Government Pleader, SR.No.64449.

Order made in
W.P.[MD].No.15660 of 2013
06.07.2017

SML/MYR
SDS/SKN:RSK/SAR 4/18.07.2017/2P/6C