



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.8624 of 2013

and

M.P (MD) No.1 of 2013

Sree Panjakannigai Devi Temple,
Puthen Dam, Ponmani Post,
Kanyakumari District - 629 161,
rep. by its President M.Ayyappan.

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Revenue Divisional Officer,
Padmanabhapuram Revenue Division,
Tuckalay, Kanyakumari District.

3.The President,
Ponmanai Selection Grade Town Panchayat,
Vendalicode, Kanyakumari District.

4.The Executive Officer,
Ponmanai Selection Grade Town Panchayat,
Vendalicode, Kanyakumari District.

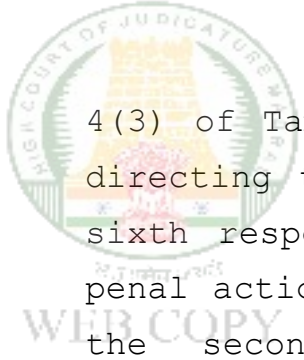
5.The Village Administrative Officer,
Surulacode, Kanyakumari District.

6.The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram, Kanyakumari District.

7.Fr.A.Micheal Raj

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 3 and 4 to close the building bearing Door No.2/98, situated in Re-Survey No.122/2A, Surulacode Village, Kalkulam Taluk, Kanyakumari District which is being illegally used for prayer and convention in the name of "St.Antony's Church", Perumchani, without getting prior approval from the first respondent herein as per Rule



4(3) of Tamil Nadu Panchayat Building Rules, 1977 and consequently directing the fifth respondent herein to file complaint before the sixth respondent as per Section 188 of Indian Penal Code to take penal action against the seventh respondent as per the direction of the second respondent herein vide his Proceedings No.Roc. A2/10512/2009 dated 13.02.2013.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents 1 to 6 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For Respondent No.7 : Mr.Puhazh Gandhi

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 3 and 4 to close the building bearing Door No.2/98, situated in Re-Survey No.122/2A, Surulacode Village, Kalkulam Taluk, Kanyakumari District, which is being illegally used for prayer and convention in the name of "St.Antony's Church", Perumchani, without getting prior approval from the first respondent as per Rule 4(3) of Tamil Nadu Panchayat Building Rules, 1977 and also direct the fifth respondent to file complaint before the sixth respondent as per Section 188 of Indian Penal Code to take penal action against the seventh respondent as per the direction of the second respondent, vide his Proceedings in No.Roc. A2/10512/2009, dated 13.02.2013.

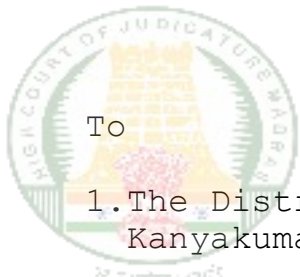
2.Today, when the matter is taken up for hearing, the learned counsel appearing appearing on either side submitted that nothing survives for further adjudication in this matter.

3.Recording the same, this writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/



To

- 1.The District Collector,
Kanyakumari District, Nagercoil.
- 2.The Revenue Divisional Officer,
Padmanabhapuram Revenue Division,
Tuckalay, Kanyakumari District.
- 3.The Village Administrative Officer,
Surulacode, Kanyakumari District.
- 4.The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram, Kanyakumari District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 90687

SMN

JS/MR.KKR/SAR.1/21.12.2017/3P-6C

ORDER MADE IN
W.P(MD)No.8624 of 2013
and
M.P(MD)No.1 of 2013
30.11.2017