



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1527 of 2018

S.Alagupandian

... Petitioner

-Vs-

1. The District Collector,
Tirunelveli,
Tirunelveli District.
2. The Tahsildar,
Thiruvengadam Taluk,
Tirunelveli District.
3. The Joint Commissioner,
Hindu Religious and Endowments Department,
Tirunelveli District.
4. The Deputy Superintendent of Police,
Sankarankovil, Tirunelveli District.
5. Chinnamuthu
6. Perumalsamy

... 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 1 to 4 to grant permission to construct the building opposite to the Sangu Vinayagar Temple, Umaiyathalaivapatti Village, Thiruvengadam Taluk, Tirunelveli District.

For Petitioner : Mr.R.J.Karthick

For R1 to R4 : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER



construct the building opposite to the Sangu Vinayagar Temple, Umaiyaithalaivapatti Village, Thiruvengadam Taluk, Tirunelveli District.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the portion of the building in front of the temple is in a dilapidated condition and the same is to be reconstructed in the larger public interest.

3.The learned counsel pleads that the decision taken by the temple management and the devotees was that a new construction is to be put up in that area, where the building is in a bad condition. In this regard, the writ petitioner has given a representation to the respondents 1 to 4 on 11.12.2017 and the temple being under the administrative control of the HR & CE Department, such a permission is required. However, the respondents have not taken any decision and the building has to be replaced by new construction.

4.Thus, without going into the merits of the matter, the third respondent is directed to consider the representation submitted by the writ petitioner on 11.12.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the documents, if any, along with the order passed in the Writ Petition.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli,
Tirunelveli District.

2. The Tahsildar,
Thiruvengadam Taluk,
Tirunelveli District.

3. The Joint Commissioner,
Revenue and Endowments Department,
Tirunelveli District.



4. The Deputy Superintendent of Police,
Sankarankovil,
Tirunelveli District.

+1 cc TO Mr.R.J.Karthick , Advocate in SR No. 44397

+1 cc TO The Special Government Pleader in SR No. 44798

Myr/ta

AE/RSK/SAR4/07.02.2018/3P/7C

W.P(MD)No.1527 of 2018
29.01.2018