



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7521 of 2020 and

W.M.P. (MD) No. 7009 of 2020

WEB COPY

A/M.Sithi Vinayakar Sri Muthukumaresa
Subramaniaswamy Navagriha temple,
Samayapuram Kananur,
Manachanallur Taluk,
Tiruchirappalli District.
Represented by its Managing Trustee
P.Balaji

... Petitioner

Vs.

1. The Commissioner Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Tiruchirappalli.
3. The Joint Commissioner/Executive Officer,
A/m. Mariamman Thirukovil,
Samayapuram, Tiruchirappalli District.
4. The Executive Officer,
S.Kannanur Town Panchayat,
25, Ambalakara Street, S.Kannanur,
Samayapuram post, Mannachanallur Taluk,
Trichy Dt - 621 112.
5. The Executive Engineer,
Hindu Religious and Charitable Endowments,
Thiruvanaikovil, Tiruchirappalli - 5.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, restraining the respondents from proceeding further with the construction of flyover Bridge at Panchayat Road situated on the east of the petitioner temple which is situated at Samayapuram S.Kannanur Town Panchayat, Mannachanallur Taluk, Trichy.

For Petitioner

: M/s.J.Maria Roseline

For R-1,R-2,

R-4&R-5

: Mr.V.R.Shanmuganathan



For R-3

: Mr.K.Govindarajan

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1,2,4 and 5 and the learned counsel appearing for the third respondent.

2. The petitioner is a temple. The trustee alleges that the proposed construction of fly over for the third respondent temple will interfere with the rights of the petitioner. He therefore wants this Court to forbear the respondents from going ahead with the petition mentioned construction.

3. When the matter was taken up for hearing, the learned Special Government Pleader on instructions states that the proposal has since been dropped.

4. Recording the said submission, the writ petition stands closed.

5. I make it clear that if the petitioner has any fresh cause of action, the petitioner is always at liberty to approach this Court for relief. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Commissioner Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Joint Commissioner,
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AP(17/07/2020) 3P 6C