

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.1979 of 2020

N.Nandakumar

... Petitioner

Vs

1. The District Collector,
Chennai District, No.62,
Rajaji Salai,
4th floor, Chennai - 600 001.
2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.
3. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai - 600 007.
4. The Chief Engineer,
Office of the Division Engineer,
No.776, Sardar Patel Road,
Chinnamalai,
Guindy,
Chennai - 600 025.
5. The Executive Engineer (O&M),
Tamil Nadu Production and Distribution,
Corporation Limited (TANGEDCO),
No.75, Paper Mills Road,
Perambur, Chennai - 600 011.
6. S.Ravishankar

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 to 5 to consider the petitioner's representation dated 21.12.2019 consequently direct the 1 to 5th respondents may per the same to pray the GOD RAJAYOGA GANAPATHI, situated at Nelvoyal Street, Perambur, Chennai 600 011.

For petitioner ... Mr.T.V.G.Kartheeban

For Respondents 1, 3 & 4 ... Mr.K.Parameshwaran,
Government Advocate

For Respondent 2 ... Ms.B.Manimegalai,
Standing Counsel

For Respondent 5 ... Mr.P.R.Dhilip Kumar

For Respondent 6 ... Mr.V.B.R.Menon

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents 1 to 5 to consider the petitioner's representation dated 21.12.2018 seeking permission to pray the God Rajayoga Ganapathi, situated at Nelvoyal Street, Perambur, Chennai 600 011.

2. Heard Mr.T.V.G.Kartheeban, learned counsel for the petitioner, Mr.K.Parameshwaran, learned Government Advocate appearing for the respondents 1, 3 & 4, Ms.B.Manimegalai, learned Standing Counsel for the respondent 2, Mr.P.R.Dhilip Kumar, learned counsel for the respondent 5 and Mr.V.B.R.Menon, learned counsel for the respondent 6.

3. Ms.B.Manimegalai, learned Standing Counsel appearing on behalf of the second respondent on instructions, would submit that pursuant to the direction given by this Court in W.P.No.31511 of 2019 filed by the sixth respondent herein, the said temple has been demolished. According to her, since the temple has been demolished, nothing survives for further adjudication in this matter.

4. This Court had passed the above mentioned order directing demolition of the subject temple only at the instance of the sixth respondent herein and the learned counsel for the sixth respondent would also agree with the submissions made by the learned counsel for the second respondent.

5. However, the learned counsel for the petitioner seeks liberty for the petitioner to challenge the demolition of the subject temple before the appropriate forum in accordance with law.

6. After recording the submissions made by the respective counsels, this Court is of the considered view that nothing survives for further adjudication in this writ petition. Accordingly, this writ petition is disposed of. However, liberty is granted to the petitioner to challenge the demolition of the subject temple before the appropriate forum in accordance with law. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
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4th floor, Chennai - 600 001.
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Chennai - 600 003.
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+1cc to the Government Pleader, S.R.No.16089.

W.P. No.1979 of 2020

SR-II(CO)
CSR 30.03.2021