



W.P.(MD)No.18994 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18994 of 2015

and

M.P.(MD)No.1 of 2015

R.Gopal

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Assistant Director (Panchayats),
Collectorate Building,
Ramanathapuram Town & District.

3.The President,
Pattanamkathan Village Panchayat,
Pattanamkathan, Ramanathapuram District.

(R2 & R3 are impleaded vide Court order
dated 03.12.2015 in M.P(MD)No.2 of 2015)

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the records pertaining to the order passed by the respondent in gazette publication No.9 dated 06.10.2015 in Na.Ka.Oo.Ni.No. 6/3250/2015, dated 30.08.2015 and quash the same and consequently direct the respondent to publish name as “Kadamba Nagar” Pattanamkathan Village, Ramanathapuram Taluk, Ramanathapuram District.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 to R3

ORDER

The present writ petition has been filed challenging the gazette publication made by the first respondent herein under which the name of the particular area was fixed as Mahatma Gandhi Nagar.

2. According to the learned Counsel for the petitioner, in the said locality there is a Temple, namely, Kadambasastha and hence, the entire Nagar was originally called as Kadamba Nagar. However, suddenly the name was changed at the request of some of the residents as



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Thiruvalluvar Nagar. Hence, he approached this Court by way of writ petition, in which, orders were passed on 12.06.2015, directing the District Collector to hear the petitioner and the fourth respondent and other interested parties and pass appropriate orders. Pursuant to the said orders by this Court, the District Collector had conducted an enquiry and passed the impugned Government Order, thereby, fixing the name of the said locality as “Mahatma Gandhi Nagar”. The said gazette notification is under challenge in the present writ petition.

3. According the learned Counsel for the petitioner, there is a Kadamba Temple in the said locality, hence the Nagar was originally called as “Kadamba Nagar”. There is no reason whatsoever to name it as a Thiruvalluvar Nagar or Mahatma Gandhi Nagar. Hence, he prayed for quashing the said Government Order and renaming the said area as “Kadamba Nagar”.

4. Per contra, the learned Counsel for the official respondent has contended that in view of certain disputes, the District Collector has



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taken a stand to name the said area as a Mahatma Gandhi Nagar. The learned Counsel for the petitioner has now produced the photographs to show that there is a Temple, namely, Kadambasastha Temple in the said locality to support his case that only because of the said temple, the area was originally called as a Kadamba Nagar. Hence, he prayed that the District Collector may reconsider the said decision in the light of the said location of the Temple.

5. The naming of any particular area or village is completely within the domain of the Executive authority. This Court cannot exercise its powers under Article 226 of the Constitution of India and give directions to the authorities to name a particular area or a village in a particular manner. However, it is the contention of the learned Counsel for the petitioner that Kadamba Temple is located in the said locality and the locality was already named as Kadamba Nagar. Since it is the case of the petitioner that the existing name was changed by the District Collector, the District Collector is hereby directed to reconsider the said decision depending upon the facts and circumstances of the case. It is for



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the first respondent herein to arrive at a decision depending upon the facts and circumstances of the case.

6. With the above said observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2022

Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR ,J.

jbr

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