



W.P(MD). No. 22474 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P(MD). No. 22474 of 2016

and

W.M.P(MD). No. 16108 of 2016

Palanisamy

... Petitioner

-VS-

1. The District Collector,
Sivagangai, Sivagangai District.
2. The Superintendent of Police,
Sivagangai District.
3. The Tahsildar,
Ilayankudi Taluk, Sivagangai District.
4. The President,
Aakkavayal Village Panchayat,
Ilayankudi Taluk, Sivagangai District.
5. Pari Ilainger Narpani Mandram,
Rep. by its President, K.Kaviyarasan,
Nanamadai Village,
Aakkavayal Post, Ilayankudi Taluk,
Sivagangai District.

... Respondents



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Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing respondents 1 to 4 herein from allowing the fifth respondent to establish a new temple within the premises of Muneeswarar Temple situated in Survey No. 46/3 and 46/4 of Nanamadai Village, Aakkavayal Post, Ilayankudi Tk, Sivagangai District, contrary to the decision taken in the peace committee meeting held on 11.08.2016.

For Petitioner : Mr. S.Mohan Gandhi

For Respondents : Mr. T.Villavankothai

Additional Government Pleader
for R1 and R3

Mr. J.Gunaseelan Muthiah for R4

Mr.N.Anandakumar for R5

Ms. M.Asha

Government Advocate (Crl.Side) for R2

ORDER

The Writ Petition has been filed for a direction to restrain the First to Fourth Respondents allowing the Fifth Respondent to establish a new Temple within the premises of Muneeswarar Temple situated in Survey Nos. 46/3 and 46/4 of Nanamadai Village, Ilayangudi Taluk, Sivagangai District, contrary to the peace committee meeting held on 11.08.2016.

2. Learned Counsel for the Petitioner on instructions states that after filing of the Writ Petition, no action has been taken by any person for making any



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construction of Temple in the said property till date. In view of the same, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the rights of the Petitioner to work out his remedies, if he has any further grievance, before the proper forum in the manner recognized by law and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs. Consequently, the connected Miscellaneous Petition is closed.

15.12.2022

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Index: Yes/No

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Note: Issue order copy by 03.03.2022.

To

1. The District Collector,
Sivagangai, Sivagangai District.
2. The Superintendent of Police,
Sivagangai District.
3. The Tahsildar,
Ilayankudi Taluk, Sivagangai District.
4. The President,
Aakkavayal Village Panchayat,
Ilayankudi Taluk, Sivagangai District.



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P.D. AUDIKESAVALU, J.

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**15.12.2022
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