



W.P.No.11995 of 2023 and Cont.P.No.1488 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No,11995 of 2023

and

Contempt Petition No.1488 of 2023

W.P.No.11995 of 2023:

Arul

.. Petitioner

Vs

1.The District Collector,
Kallakuruchi District,
Kallakurichi-606 202.

2.The Revenue Divisional Officer,
Thirukovilur,
Kallakuruchi District,
PIN-605 766.

3.The Tahsildar,
Ulundurpettai Taluka,
Kallakuruchi District,
PIN-606 107.



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4.The Block Development Officer,
Ulundurpettai Block,
Kallakuruchi District
PIN-606 107.

5.Saravanan

.. Respondents

Contempt Petition No.1488 of 2023:

Arul

.. Petitioner

Vs

1.Sravan Kumar Jatavath, I.A.S.,
District Collector,
Kallakuruchi District,
Kallakuruchi-606 202.

2.J.Yogajothi
Revenue Divisional Officer,
Thirukovilur,
Kallakuruchi District,
PIN-605 766.

3.K.Raju
Tahsildar,
Ulundurpettai Taluka,
Kallakuruchi District,
PIN-606 107.

4.K.Jayaraman
Block Development Officer,
Ulundurpettai Block,
Kallakuruchi District
PIN-606 107.

5.Saravanan



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6.The Joint Commissioner,
Hindu Religious and
Charitable Endowments Department
Villupuram District.

.. Respondents

(Respondent No.6 impleaded as per the
order dated 21.9.2023 passed in Cont.P.No.1488 of 2023)

Prayer in W.P.No.11995 of 2023: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to remove the additional structures constructed by the fifth respondent by encroaching Thiruppeyar Periya Eri at SF No.301/7, Thiruppeyar Village, Ulundurpet Taluka, Kallakuruchi District in the name of extending the already existing Nangooramman Temple and prevent the fifth respondent from putting up any fresh constructions in areas of Thiruppeyar Periya Eri.

Prayer in Cont.P.No.1488 of 2023: Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent Nos.1, 2, 3, 4 and 5 for their willful disobedience of the order dated 19.4.2023 passed in W.P.No.11995 of 2023 and W.M.P.No.11848 of 2023.

For the Petitioner : Mr.N.Ponraj

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 4
in both Writ Petition and
Contempt Petition

: Mr.S.Ramajayam
for respondent No.5
in both Writ Petition and
Contempt Petition



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: Mr.N.R.R.Arun Natarajan
Special Government Pleader
for 6th respondent in the
Contempt Petition

COMMON ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.N.Ponraj, learned counsel for the petitioner;
Mr.P.Muthukumar, learned State Government Pleader for
respondents 1 to 4; Mr.S.Ramajayam, learned counsel for the fifth
respondent in both the writ petition and the contempt petition; and
Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for
the sixth respondent in the contempt petition.

2. It is submitted that under the garb of renovation of the
temple, encroachment is made on the water body.

3. According to learned counsel for the fifth respondent,
permission is obtained from the Hindu Religious and Charitable
Endowments Department for construction and the construction is



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being made in the premises of the temple itself. The people have donated it for the construction.

4. Learned Special Government Pleader appearing on behalf of the Hindu Religious and Charitable Endowments Department submits that the temple is 500 year old. The construction was started earlier and thereafter the fifth respondent approached the Hindu Religious and Charitable Endowments Department for permission. The permission was granted on 19.10.2023.

5. There cannot be any objection for renovation of the temple on the same foundation, as the temple is 500 year old and is protected. However, under the garb of renovation, the area should not be extended. If the area is extended, it would have a cascading effect of reducing the water body. The Hindu Religious and Charitable Endowments Department shall take steps to ensure that the renovation of the temple is done on the same foundation and that area is not extended.



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6. With these observations, the writ petition and the contempt petition are disposed of. There will be no order as to costs. Consequently, W.M.P.No.11848 of 2023 is closed.

(S.V.G., C.J.)

(D.B.C., J.)

01.11.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1.The District Collector,
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Kallakurichi-606 202.
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Kallakuruchi District,
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- 3.The Tahsildar,
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- 4.The Block Development Officer,
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- 5.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department
Villupuram District.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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and Cont.P.No.1488 of 2023

01.11.2023