



WP No.1325 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.1325 of 2023

T.Jayakumar

... Petitioner

versus

1 The District Collector
Villupuram District.

2 The Revenue Divisional Officer
Villupuram, Villupuram District.

3 The Commissioner
Villupuram Municipality, Villupuram.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorari to call for the records of the impugned show cause notice vide Na.Ka.No.2073/2018/F1 dated 09.12.2022 issued by the 3rd respondent and quash the same.

For the Petitioner : Mr.P.Krishnamurthy

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1 and 2



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Mr.P.Srinivas,
for the third respondent

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed challenging the impugned notice directing the petitioner to remove the encroachment made in Mayanam Poromboke.

2. Learned counsel for the petitioner submitted that the temple – A/m.Angala Parameswari Temple, has been put-up in or about the year 2020 and it was built in Mayanam Poromboke. Kumbabishegam (consecration) of the said temple is scheduled to be held on 02.02.2023.

3. Admittedly, the temple was built on a Mayanam Poromboke. Without obtaining proper permission from the competent authorities, the temple has been built. Therefore, no legal sanctity could be offered to such constructions. The only permitted activity in a Mayanam Poromboke is cremation or burial. A burial ground cannot be used for religious purposes. A temple is a divine place, where



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people of all ages should be able to visit and pray. If part of the temple is in burial ground/graveyard, naturally, children and women would hesitate to visit the temple, especially during evening and night time and the very purpose of temple would get defeated. Therefore, in our opinion, the impugned order is well justified.

4. The writ petition fails and the same is dismissed. There will be no order as to costs. Consequently, WMP Nos.1376 and 1377 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)
20.01.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

- 1 The District Collector
Villupuram District.
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Villupuram, Villupuram District.
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.
(tar)

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