



W.P(MD)No.4250 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.07.2023

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.4250 of 2021

Balasubramanian

... Petitioner

-Vs-

1. The Superintendent of Police
Trichy District, Trichy
2. The Inspector of Police
Jambunathapuram Police Station,
Jambunathapuram,
Trichy District.
3. Kuppusamy
4. Mani @ Periasamy
5. Kannaiyan
6. Lakshmanan
7. Periyasamy
8. Selvaraju
9. Veerappan
10. Vellaian

.... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus forbearing the respondents No.1 and 2 from granting permission to the respondents No.3 to 10 to construct the temple and to conduct the Maha Kumbabishegam of Kattu Koil, which is situated at Pallinatham Village, Valavanthi Post, Musiri Taluk, Trichy District, on the basis of the petitioners representation dated 22.02.2021



W.P(MD)No.4250 of 2021

For Petitioner	: Mr.T.Vadivelan
For R1 & R2	: Mr. R.M.Anbunithi Additional Public Prosecutor
For R3 to R9	: Mr.Joel Paul Antony
For R10	: No appearance

ORDER

This Writ Petition has been filed seeking for issuance of Writ of Mandamus forbearing the respondents No.1 and 2 from granting permission to the respondents No.3 to 10 to construct the temple and to conduct the Maha Kumbabishegam of Kattu Koil, which is situated at Pallinatham Village, Valavanthi Post, Musiri Taluk, Trichy District, on the basis of the petitioners representation dated 22.02.2021

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner contended that respondents 3 to 10 are attempting to construct a temple in Government land, which is adjacent to the land of the petitioner and they are also attempting to encroach the petitioner's property also. Further they are attempting to conduct Maha Kumbabishegam for the Kattukovil, for which he has sent representation to the respondents dated 22.02.2021 and the same was not considered by the first and second respondents.



W.P(MD)No.4250 of 2021

3. When this Court raised question with regard to the maintainability of the prayer, the learned counsel for the petitioner fairly conceded that the prayer will not lie since the first and second respondents are not the competent authorities for giving permission to construct temple. As far as the second prayer is concerned the date of representation is 22.02.2021 for the particular date and that date was also lapsed.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would contend that the representation itself was time barred and time was also lapsed, hence nothing survives for further adjudication in this petition.

5. Heard both sides and perused the materials available on record.

6. On perusal of the record, it is observed that the date of representation is 22.02.2021 for a particular period and that period was already over, hence the petition is liable to be dismissed.



W.P(MD)No.4250 of 2021

WEB COPY

7. Accordingly this Writ Petition stands dismissed as infructuous. No costs.

20.07.2023

Index : Yes/No
Internet : Yes/No
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To

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Trichy District, Trichy
2. The Inspector of Police
Jambunathapuram Police Station,
Jambunathapuram,
Trichy District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai



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W.P(MD)No.4250 of 2021

P.DHANABAL, J.

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W.P(MD)No.4250 of 2021

20.07.2023