



WP(MD)No.15719 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.15719 of 2023

and

WMP(MD)No.13168 of 2023

M.NM.C.RM.N.N.N.Pothu Dharma Trust
Rep. by its Trustee
N.CT.Chidambaram

... Petitioner

v.

1.The District Collector,
Sivagangai.

2.The Tahsildar,
Karaikudi Taluk.

3.The Executive Officer,
Kandanur.

4.The Village Administrative Officer,
Karaikudi.

5.The Sub Inspector of Police,
Sakkottai.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the respondents from interfering with the work of cleaning and white washing the walls and putting up structures for support of aged and disabled people in Nachiappa Chettiar Oorani situated in GR.102 of an extent of 1.44 acres of Kandanur Village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mrs.AL.Ganthimathi,
Senior Counsel
for Mr.C.Mahadevan

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner Trust, claiming to be the owner of Nachiappa Chettiar Oorani, has filed this writ petition with a grievance that while cleaning the Oorani, the third respondent has prevented them from doing so.

2.This Court, while entertaining the writ petition on 30.06.2023, has passed the following order:-

“2.The first respondent may examine the issues raised and may arrange for any of the officials of the third respondent to clean the Oorani, which is to be used for the Kumbabishekam of the



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particular Temple. It is made clear that it is only a temporary arrangement and if the petitioner wants to clean, let the first respondent address that particular issue and the Court cannot issue a Mandamus particularly, since the entire issue relates to an Oorani or a Temple tank or a water body and creating a right even to clean may give way to creating a larger right for any of the contesting parties and this Court has to very careful on it. It is also seen that Kumbabishekam should have been fixed atleast one month back and the petitioner had approached the Court only giving one working day in between.”

3.Today, when the matter is taken up for hearing, it is reported that pursuant to the directions of this Court, the third respondent has cleaned the Oorani.

4.In view of the subsequent developments, this writ petition is closed as no further order is required to be passed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
gk

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B.PUGALENDHI, J.

gk

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