



W.P.(MD)No.17041 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.17041 of 2023
and
W.M.P.(MD)No.14258 of 2023

Patti Veeran @ Ragu

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The Block Development Officer,
Aathoor Taluk,
Dindigul District.
- 3.The Tahsildar,
Aathoor Taluk Office,
Aathoor,
Dindigul District.
- 4.The President,
Sitharevu Panchayat,
Sitharevu,
Aathoor Taluk,
Dindigul District.



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5.The Village Administrative Officer,
Ayyampalayam,
Sitharevu Panchayat,
Aathoor Taluk,
Dindigul District.

6.The Regional Manager/District Manager,
Tamil Nadu Civil Supply Corporation,
Murugabhavanam,
Palani Road,
Dindigul,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to forbear the respondents herein from in any manner constructing any Vinayagar Kovil Kulam or any other construction in the property comprised in S.No.193/1 ie., Vinayagar Kovil Kulam situated at Kathirnayakanpatti, Sitharevu Village, Aathoor Taluk, Dindigul District on the basis of the petitioner's representation dated 10.07.2023.

For Petitioner :Mr.S.Paul Murugesan

For Respondents :Mr.K.Balasubramani
Special Government Pleader for R1 to R5

: Mr.K.R.Badurus Zaman for R6

ORDER

Heard the learned counsel on either side.

2. The petitioner wants this Court to restrain the respondents from constructing any godown in the petition mentioned survey number.



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3. When the matter was taken up for hearing, the learned Special Government Pleader produced the relevant records. As per entries in 'A register', Survey No.193/1, Kathirnayakanpatti was classified as “விநாயகர் கோவில்”, whereas Survey No.193/2 has been classified as “மேற்கு தர்மன் குளம்”. It is made clear that no construction will come up on the water body. The District Collector, Dindigul had made a categorical statement in his proceedings dated 03.04.202 that even though this survey number has been classified as Vinayagar Temple, on ground, no such religious structure is in existence. We are also satisfied that the land has been re-classified only for public purpose. Interference is not warranted.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
18.07.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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To

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Office of the District Collector,
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Aathoor Taluk,
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- 3.The Tahsildar,
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Aathoor,
Dindigul District.
- 4.The President,
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Sitharevu,
Aathoor Taluk,
Dindigul District.
- 5.The Village Administrative Officer,
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