



W.P.(MD)No.18767 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18767 of 2020
and
W.M.P.(MD).No.15688 of 2020

T.Vadamalai

... Petitioner

Vs.

- 1.The Director,
Rural Development and Panchayatraj Department,
Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Karur District, Karur.
- 3.The Block Development Officer, (Village Panchayat),
Krishnarayapuram Union Office,
Krishnarayapuram,
Karur District.
- 4.The Panchayat President,
Karupathur Panchayat Office,
Krishnarayapuram Taluk,
Karur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent



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restraining the 4th respondent from doing illegal act of constructing the community hall in S.F.Nos.159/1, 160 and 85.2B2 at Vengampatti Village Krishnarayapuram Taluk, Karur District.

For Petitioner : Mr.M.Saravanan
For Respondents : Ms.J.Farjana Ghoushia,
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the second respondent to stop the illegal construction of the community hall by the fourth respondent in the property that belongs to Arulmigu Mariamman Temple, situated at Vengampatti Village, Krishnarayapuram Taluk, Karur District.

2. The grievance of the petitioner is that the property absolutely belongs to the deity of the temple and the petitioner is one of the Pattaiyakarar of the Temple and the fourth respondent is attempting to put up a community hall in the property that belongs to the temple. A complaint was given in this regard to the Police as well as the second respondent. In spite of the same, the fourth respondent attempted to



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continue with the construction of the community hall. Aggrieved by the same, the present Writ Petition has been filed before this Court.

3. The learned Special Government Pleader appearing on behalf of the respondents submitted that pursuant to the objections made, the construction of the community hall was stopped.

4. Taking into consideration the facts and circumstance of the case, there shall be a direction to the second respondent to consider the complaint / representation made by the petitioner on 28.10.2020, on its own merits and in accordance with law. The second respondent shall put the fourth respondent on notice at the time of enquiry. Till a final decision is taken by the second respondent, the present *status quo* shall be maintained. The second respondent shall take a final decision within a period of eight (8) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.



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5. The Writ Petition is disposed of with the above directions.

No costs. Consequently, the connected miscellaneous petition is closed.

09.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

To

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N.ANAND VENKATESH, J.

tsg

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