



W.P.(MD)No.17762 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.17762 of 2023

Venkatesan

... Petitioner

VS.

1.The Commissioner,
Dindigul Corporation,
Dindigul District.

2.The Joint Commissioner,
HR & CE,
Dindigul District.

3.The Executive Officer,
Arulmigu Kalakatheeswarar Temple,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the the 1st respondent



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to permit the petitioner to carry the works for demolition and reconstruction of building comprised in Door Nos.161 and 162 situated in the premises of Arulmigu Kalakatheeswarar Temple, Dindigul West Taluk, Dindigul District, in accordance with the proceedings of the 2nd respondent by considering the petitioner's representation, dated 12.07.2023, within time that may be stipulated by this Court.

For Petitioner : Mr.R.Venkatesan
for M/s.Right Law Associates
For R1 : Mr.M.Thirunavukkarasu
For R2 and R3 : Mr.S.Kameswaran
Government Advocate

ORDER

This writ petition is filed for Writ of Mandamus, to direct the the 1st respondent to permit the petitioner to carry the works for demolition and reconstruction of building comprised in Door Nos.161 and 162



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situated in the premises of Arulmigu Kalakatheeswarar Temple, Dindigul West Taluk, Dindigul District, in accordance with the proceedings of the 2nd respondent by considering the petitioner's representation, dated 12.07.2023, within time that may be stipulated by this Court.

2. The 3rd respondent temple is the owner of the land and the building and the petitioner is a tenant. Since the building was constructed 100 years ago, the building is in a dilapidated condition. Hence, the petitioner sought permission of the 3rd respondent to demolish and reconstruct the said building and the permission was granted, vide proceedings, dated 18.10.2022. However, the 1st respondent has to consider the representation of the petitioner and grant permission to demolish.



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3. Therefore, the 1st respondent is directed to consider the petitioner's representation, dated 12.07.2023 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

4. With the above said observation, the writ petition is allowed. No costs.

Index : Yes / No
Internet : Yes
NCC : Yes / No

24.07.2023

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To

- 1.The Joint Commissioner,
HR & CE,
Dindigul District.
- 2.The Executive Officer,
Arulmigu Kalakatheeswarar Temple,
Dindigul District.



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S.SRIMATHY, J

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