



W.P.(MD)No.7153 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM:

THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

and

THE HONOURABLE Mrs.JUSTICE L.VICTORIA GOWRI

W.P.(MD) No.7153 of 2018
and WMP(MD) No.6887 of 2018

C.Ganesh,

... Petitioner

Vs

1. The District Collector,
O/o. the District Collectorate,
Madurai District..
2. The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai, Madurai District..
3. The Special Officer/
Executive Officer, Thaniyamangalam
Panchayat, Thaniyamangalam, Melur Tk,
Madurai District.
4. The Thasildar,
Melur Taluk, Melur, Madurai District..



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5. The Inspector of Police,
Keezhavalavu Police Station,
Madurai District..

6. Marimuthu,
S/o. Vellian, Thaniyamangalam, Melur
Taluk, Madurai District..

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent Nos.1 to 5 to remove the unauthorized construction put up by the Respondent No.6 in S.No. 453/8 in Thaniyamangalm Village, Melur Taluk, Madurai District and Thaniyamangalam Village, Melur Taluk, Madurai District and consequently forbearing the Respondent no.6 from making any unauthorized construction and using the building as place of worship without getting prior approval as per Rule 4(3) of Tamil Nadu Panchayat Building Rules, 1997 within the time period stipulated by this Court.

For Petitioner : Mr.Karthick
for M/s.T.Lajapathi Roy Associates
For Respondent : Mr..S.P.Maharajan for R1 and R4
Special Government Pleader
No appearance for R3
Mr.T.Senthilkumar for R2 & R5
Additional Public Prosecutor
Mr.C.Selvaraj for R6



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 4, learned Additional Public Prosecutor for the respondents 2 and 5 and the learned counsel for the respondent No.6.

2. The learned counsel for the petitioner submits that unauthorized construction is being carried out by the respondent No.6 in S.No.453/8 in Thaniyamangalam Village. In place of old temple, new temple is constructed.

3. The learned Special Government Pleader submits that no construction is carried out in S.No.453/8. Construction is carried out in S.No.353 and the same is a Government land.



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4. In view of the said submission, no orders can be passed in this writ petition. In case, the petitioner has authentic documents, then the petitioner, may along with the authentic documents, approach the authorities concerned.

5. The writ petition stands disposed of accordingly. However, there is no order as to costs. Consequently connected Miscellaneous Petition is closed.

[S.V.G., .C.J.]

[L.V.G., J.]

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Index : Yes / No

Neutral Citation : Yes / No



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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

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