



W.P.(MD).No.21343 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.21343 of 2014

M.Ravi Ram

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Kokkirakulam,
Tirunelveli District.
- 2.The District Revenue Officer,
DRO Office,
Kokkirakulam,
Tirunelveli District.
- 3.The Revenue Divisional Officer,
RDO Office,
Cheranmahadevi,
Tirunelveli District.
- 4.The Tahsildar,
Taluk Office,
Ambasamudram,
Tirunelveli District.
- 5.Saverier Adimai
- 6.R.Jeyakumar



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7.R.Rajamani

...Respondents

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*(*R5 to R7 are suo motu impleaded vide order dated 22.09.2023 in W.P(MD).No.21343 of 2014*)*

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent No.4 to consider the petitioner's representation dated 01.12.2014 to order to enquire the occupied and disputes Survey No.1075/10 in Pulavanoor Village, under Keelakadayam Village Administrative Officer, Ambasamudram Taluk, Tirunelveli District, based on the petition dated 01.12.2014.

For Petitioner : Mr.B.Char Murugan

**For Respondents : Mr.P.T.Thiraviyam
Government Advocate
for R1 to R4**

ORDER

The petitioner, who is an adjacent land owner to the land in Survey No.1075/10 situated at Pulavanoor Village, Ambasamudram Taluk, Tirunelveli District, has filed this Writ Petition in the year 2014 for a Mandamus directing the fourth respondent to consider his representation dated 01.12.2014 and for conducting enquiry as to the manner, in which, the land in Survey No.1075/10 has been unauthorizedly occupied.



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2. The petitioner claims that Survey No.1075/10, is a vacant land and one Devaraj is attempting to put up a Church in the said vacant land and therefore, he has submitted a representation before the fourth respondent on 01.12.2014. Since the representation has not been considered, he has filed this Writ Petition.

3. When this Writ Petition is taken up for hearing, the learned Government Advocate submits that in the said Survey No.1075/10, a RC Church is in existence for more than 75 years and when the RC Church has made a request for renovation before the first respondent, namely, the District Collector, Tirunelveli District, the same was objected by the petitioner and he has filed this writ petition as if the land in Survey No.1075/10 is a vacant land. However, the request of the Church was considered by the first respondent, vide proceedings in Na.Ka.No.E2/53/708/2013 dated 25.08.2014, after obtaining the reports from the Superintendent of Police, Cheranmahadevi and the Sub Collector, Cheranmahadevi.



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4. This Court considered the rival submissions made by either side and perused the materials available on record.

5. It appears that one V.K.S.Arulraj, Foster of the said Church has made a request for renovation of the RC Church situated in Survey No.1075/10, before the first respondent on 02.12.2013, based on which, a report was called for by the first respondent from the Superintendent of Police, Cheranmahadevi, and the Sub Collector, Cheranmahadevi. The Superintendent of Police, Cheranmahadevi, vide letter, dated 18.03.2014, has filed a report that there is no objection for renovating the Church. Similarly, the Sub Collector, Cheranmahadevi, vide letter dated 23.07.2014, has made a suggestion to renovate the Church. Based on the reports submitted by the Sub Collector, Cheranmahadevi and the Superintendent of Police, Cheranmahadevi, the first respondent, vide proceedings in Na.Ka.No.E2/53/708/2013 dated 25.08.2014, has permitted the said V.K.S.Arulraj to renovate the old Church without changing its original character with certain conditions. Therefore, there is no error on the part of the first respondent in allowing the said V.K.S.Arulraj to renovate the Church.



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6. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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Index: Yes/No
Internet: Yes/No
ssb

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