



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-02-2024

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

**WP No.9969 of 2020
And
WMP No.12121 of 2020**

M.Nachimuthu

.. Petitioner

-VS-

- 1.The District Collector,
Tiruppur District.
- 2.The Divisional Engineer,
Department of State Highway,
(Construction and Maintenance Tiruppur North),
No.39, College Road,
Tiruppur.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.



4.The Executive Engineer,
Arulmigu Kondathu Kaliamman Temple,
Perumanallur,
Tiruppur District.

5.C.Subramaniam

6.M.Rathinasamy

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to prevent the respondents 4 to 6 from constructing the compound wall and put up gates in S.F.No.277/2, Perumanallur, Tiruppur District by considering the petitioner's representation dated 25.06.2020.

For Petitioner	:	Mr.V.Anandhamurthy
For Respondents-1 and 2 :		Ms.C.Meena Arumugam, Additional Government Pleader.
For Respondents-3 and 4 :		Mr.S.Ravichandran, Additional Government Pleader, [HR&CE]
For Respondent-5	:	Not Ready in Notice



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WP No.9969 of 2



ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to prevent the respondents 4 to 6 from constructing the compound wall and put up gates in S.F.No.277/2, Perumanallur, Tiruppur District by considering the representation submitted by the petitioner on 25.06.2020.

2. The learned Additional Government Pleader [HR&CE], appearing on behalf of the respondents 3 and 4, would submit that the subject property belongs to Arulmighu Kondathu Kalamman Temple and with the permission of the Assistant Commissioner of Hindu and Religious Endowments Department, the compound wall was constructed to safeguard the temple with the prior permission obtained from the Competent Authorities.

3. That being the factum established, the petitioner cannot obstruct the construction of compound wall constructed by the Authorities



by following the due process of law. Thus the relief as such sought for in the present writ petition cannot be granted.

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4. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

09-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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To

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4. The Executive Engineer,
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Perumanallur,
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WP No.9969 of 2



S.M.SUBRAMANIAM, J.

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WP 9969 of 2020

09-02-2024