



WP No.19820 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.19820 of 2022

S.Thamizharasan

.. Petitioner

-VS-

1. The Senior Superintending Archaeologist,
Central Archaeological Survey of India,
Fort St. George, Chennai 600 009.
2. The Senior Conservation Assistant,
Central Archaeological Survey of India,
Salem Circle, Salem 636 016.
3. The Commissioner/Block Development Officer,
Nallampalli Panchayat Union, Nallampalli,
Dharmapuri District 636 807.
4. The District Collector,
Dharmapuri District, Dharmapuri 636 705.
5. The Superintendent of Police,
Dharmapuri District, Dharmapuri 636 705.
6. The Tahsildar,
Nallampalli Taluk, Dharmapuri District.



WP No.19820 of 2022

7. The Inspector of Police,
Adhiamankottai Police Station,
Dharmapuri District.

8. The President,
Adhiamankottai Panchayat Board,
Adhiamankottai, Nallampalli Taluk,
Dharmapuri District 636 807.

9. A.Shanmugam

10.S.Elayasankar

11.V.Thangamani

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the official respondents to forthwith take action in accordance with law to remove the illegal/unauthorised constructions put up by the respondents 9 to 11 herein within 100 meters from Sri Chennaraya Perumal Temple at Adhiyamankottai, Nallampalli Taluk, Dharmapuri District which is centrally protected and regulated site under the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

For the Petitioner : Mr.K.Premkumar

For the Respondents : Mr.Rajesh Vivekananthan
Deputy Solicitor General for RR 1 and 2
: Mr.A.Edwin Prabakar
State Government Pleader
for RR 3 to 7
: No appearance for R-8
: Mr.N.Manokaran for RR 9 to 11

* * * * *



WP No.19820 of 2022

WEB COPY

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.K.Premkumar, learned counsel for the petitioner, Mr.Rajesh Vivekananthan, learned Deputy Solicitor General for respondent Nos.1 and 2, Mr.A.Edwin Prabakar, learned State Government Pleader, for respondent Nos.3 to 7 and Mr.N.Manokaran, learned counsel for respondent Nos.9 to 11. None appears for respondent No.8.

2. The petition is filed seeking directions to the official respondents to remove the illegal/unauthorised construction put up by respondent Nos.9 to 11 within 100 meters from Sri Chennaraya Perumal Temple at Adhiyamankottai, Nallampalli Taluk, Dharmapuri District.

3. It is submitted that the temple in question is the declared monument under the Archaeological Survey of India. The Archaeological Survey of India would have the authority to protect



WP No.19820 of 2022

the said monument and would take all necessary steps and action if any unauthorised construction is put up within its vicinity.

4. The respondent Nos.4 to 8, in consultation with respondent Nos.1 and 2 may take further steps in accordance with law. If any unauthorised construction is found, then the action shall be taken expeditiously, of course, by adhering to the provisions of law and principles of natural justice.

With this observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

26.03.2024

Index : Yes/No
Neutral Citation : Yes/No

sra



WP No.19820 of 2022

WEB COPY To

1. The Senior Superintending Archaeologist,
Central Archaeological Survey of India,
Fort St. George, Chennai 600 009.
2. The Senior Conservation Assistant,
Central Archaeological Survey of India,
Salem Circle, Salem 636 016.
3. The Commissioner/Block Development Officer,
Nallampalli Panchayat Union, Nallampalli,
Dharmapuri District 636 807.
4. The District Collector,
Dharmapuri District, Dharmapuri 636 705.
5. The Superintendent of Police,
Dharmapuri District, Dharmapuri 636 705.
6. The Tahsildar,
Nallampalli Taluk, Dharmapuri District.
7. The Inspector of Police,
Adhiamankottai Police Station,
Dharmapuri District.



WEB COPY



WP No.19820 of 2022

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

WP No.19820 of 2022

26.03.2024