



WEB COPY



W.P.No.24576 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24576 of 2024
and
W.M.P.No.26894 of 2024

Arulmigu Devi Sri Ellamman Amman Devasthanam,
Rep by its
Parambarai Nirvaga Arangavalar.N.S.Vijayakumar,
No.40, Uthukaadu Graamam, Walajabad Division,
Kanchipuram District – 631 605.
..Petitioner

-Vs-

- 1.The District Collector,
Collector Office,
Kanchipuram.
- 2.The Revenue Divisional Officer,
Kanchipuram District.
- 3.The Tahsildar,
Walajabad Division,
Kanchipuram District.
- 4.The Block Development Officer,
Walajabad Division, Kanchipuram District.
- 5.The Panchayath President,
Panchayath Office,
Uthukadu Village,
Walajabad Division,
Kanchipuram District – 631 605.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India



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praying for the issuance of a Writ of Mandamus forbearing the respondents from putting up any construction in the nature of Bus shelter in front of the Petitioner's property situated at Grama Natham S.No.835/1, Uthukadu Gramam, Walajabad Division, Kanchipuram District-631 605, and thereby obstructing the ingress and egress towards Petitioner' s property by considering of the representations of the Petitioner dated 11.03.2024 and 26.07.2024.

For Petitioner	: Mr.P.Dinesh Kumar
For R1 to R3	: Mr.N.Naveen Kumar Government Advocate.
For R4 & R5	: Ms.E.Ranganayaki Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction, forbearing the respondents from putting up any construction in the nature of bus shelter in front of the petitioner's property situated at Grama Natham S.No.835/1, Uthukaadu Gramam, Walajabad Division, Kanchipuram District – 631 605.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner's temple is situated at Survey No.835/1, classified as Grama Natham, Uthukaadu Gramam, Walajabad Division,



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Kanchipuram District – 631 605. During the course of festival season, large number of public came to the temple and were conducting rituals.

While being so, the respondents now propose to construct the bus shelter in front of the temple.

4. The learned counsel appearing for the petitioner would submit that in the nearby place, there is an existing bus shelter and leaving that bus shelter, if now a new bus shelter is constructed it would cause disturbance to the devotees from entering into the temple. Therefore, the petitioner submitted a representation and the same was pending without consideration.

5. On instructions, the learned Government Advocate appearing for the respondents 1 to 3 submitted that the land comprised in survey No.835/1 to an extent of 0.350 sq.mt is classified as sarkar poramboke. It is situated in front of the temple. It no way hinders the entry point of the temple. The proposed bus shelter is useful for general public for boarding into the bus near the bus stop and therefore they propose to construct the bus shelter.



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6. In view of the above, this Court finds no merits in this writ petition and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

28.08.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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