



W.P.(MD)No.2169 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED **02.02.2024**

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.2169 of 2024

N.Shanthi

...Petitioner

/Vs./

The District Collector,
Collector Office,
Theni, Theni District.

...Respondent

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to issue No Objection Certificate for construction of Arulmigu Vanadurgai Amman Temple the petitioner's property admeasuring 8,800 Sq.Mt in Survey No 1259 of Kenguvarpatty Village, K.Kallupatty Panchayat, Periyakulam Taluk, Theni District on the basis of representation dated 09.02.2023 made by the Writ Petitioner within a stipulated period.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondent : Mr.A.Kannan

Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondent to issue No Objection Certificate for construction of Arulmigu Vanadurgai Amman Temple the petitioner's property admeasuring 8,800 Sq.Mt in Survey No 1259 of Kenguvarpatty Village, K.Kallupatty Panchayat, Periyakulam Taluk, Theni District on the basis of representation dated 09.02.2023 made by the Writ Petitioner within a stipulated period.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The case of the petitioner is that the petitioner is in possession and enjoyment of the subject property and patta also stands in her name. In the said property, the petitioner wants to construct a temple and therefore, the petitioner made a representation seeking No Objection Certificate to construct the temple. Since no steps have been taken, this writ petition has been filed.



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4. The learned Additional Government Pleader appearing for the respondent the petitioner's representation will be considered within the time frame as fixed by this Court.

5. Considering the facts and circumstances of the case, this Court directs the respondent to consider the representation of the petitioner, dated 09.02.2023, which was submitted for issuance of No Objection Certificate for construction of temple and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of sixteen (16) weeks from the date of receipt of a copy of this order. It is made clear that the petitioner shall not proceed with construction till she obtains No Objection Certificate from the competent authority.

6. With the above direction, this writ petition is disposed of. No costs.

02.02.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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V.BHAVANI SUBBAROYAN, J.

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TO:-

The District Collector,
Collector Office,
Theni, Theni District.

Order made in
W.P(MD)No.2169 of 2024

Dated:
02.02.2024