



CMP(MD). No.8494 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
Civil Appellate Jurisdiction

Tuesday, the Twenty Second day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN  
AND  
The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD). No.8494 of 2024  
in  
W.A.(MD)SR No.42869 of 2024  
and  
W.A.(MD)SR No.42869 of 2024

The Panchayat President,  
Rosalpatti Panchayat,  
Virudhunagar Taluk  
Virudhunagar District.

...Appellant/Writ Petitioner

Vs

1. Arulmighu Karuppasamy Temple,  
Represented by its Administrator,  
V. Palanisamy,  
S/o. Vaiyapuri Moopar,  
Door No.5-5-4 F,East Street,  
Palayampatti Village,  
Aruppukkottai Taluk,  
Virudhunagar District.

...1st Respondent /Writ Petitioner



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2. The District Collector,  
Virudhunagar,  
Virudhunagar District.
3. The Assistant Director of Panchayats,  
Virudhunagar,  
Virudhunagar District.
4. The Block Development Officer, (Village Panchayat),  
Virudhunager Panchayat Union,  
Virudhunagar District.

... Respondents 2 to 4 / Respondents 1 to 3

Prayer in CMP(MD). No.8494 of 2024 :-

Civil Miscellaneous Petition Under Section 5 of the Limitation Act to condone the delay of 816 days in filing this Writ Appeal as against the order in W.P.(MD) No.420 of 2021 dated 28.01.2022 on the file of this Court.

Prayer in W.A.(MD)SR No.42869 of 2024:-

Writ Appeal Under Clause 15 of Letter Patent Act to set aside the order dated 28.01.2022 made in W.P.(MD)No.420 of 2021 on the file of this court and allow this Writ Appeal.

Prayer in W.P.(MD) No.420 of 2021:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus restraining the respondents from putting up any construction in survey number 85/1 measuring 95 cents belonging to the Arulmighu karuppasamy temple located in Rosalpatti Village , Virudhunagar Taluk, Virudhunagar District.



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ORDER:- This Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Gowrishankar, Advocate for the Petitioner and of Mr.T.S.R.Venkatramana Senior Counsel For Ms.V.Janaki Devi, Mr.P.T.Thiraviyam Government Advocate For R2 to R4, Government Advocate for the respondent(s), this Court made the following order:

“The language used in Paragraph 6 of the affidavit is highly condemnable. A Panchayat President does not become the King of the State. It is stated that there is an unwarranted finding in the order and the Petitioner has also stated that she is not aggrieved by the order. Hence, this Miscellaneous Petition is dismissed with the cost of Rs.10,000/- [Rupees Ten Thousand only] to be paid to the Creche run by the Women Advocates Association in the Madurai Bench premises, payable by **08.11.2024**. Consequently, W.A.(MD)SR.No.42869 of 2024 is rejected.

2. Post on **11.11.2024** “for reporting compliance”.

Sd/-

Assistant Registrar( CS-II )

// True Copy //

/11/2024

Sub Assistant Registrar  
( CS-I / II / III / IV )



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4. The Panchayat President,  
Rosalpatti Village , Virudhunagar Taluk  
Virudhunagar District.

Copy to:

The Section Officer,  
Judicial Section,  
Madurai Bench of Madras High Court,  
Madurai.



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ORDER DATED : 22/10/2024

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ORDER

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CMP(MD). No.8494 of 2024

in

W.A.(MD)SR No.42869 of 2024

and

W.A.(MD)SR No.42869 of 2024

**SI -(06.11.2024) 5P/ 6C**

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.