



W.P.(MD)No.16613 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.16613 of 2019

Arulmigu Isakkiamman Temple,
By its Executive Officer
Mr.S.Ajith, Muppanthal(East)
Thovalai Taluk,
Kanyakumari District.

...Petitioner

/Vs./

- 1.The General Manager,
G M Office,
1st Floor NGO Main Building,
Southern Railway,
Park Town,Chennai-600 003
- 2.The Divisional Railway Manager,
Trivandrum Division, DRM Complex,
Southern Railway,
Thycaud,Trivandrum-694 914
- 3.The Chief Project Manager/Co-ordination,
Rail Vikas Nigam Limited,
Mezzanine Floor,
Thirumayilai Railway Station,
Mylapore, Chennai-600 004.

... Respondents

[R3 is Impleaded Vide Court Order dated 19.12.2022]



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to (a) pay appropriate compensation to the petitioner Temple for laying railway lines on the temple lands between Aralvaimozhi and N(North) Panagudi stations; and (b) construct a compound wall at the cost of the respondents between the proposed second railway line connecting Aralvaimozhi and N(North) Panagudi stations and the petitioner temple pond so as to ensure safety and security of the devotees gathering around the petitioner temple pond, within the time frame that may be fixed by this Court.

For Petitioner	: Mr.K.Gokul
For R1 & R2	: Mr.K.R.Laxman Standing Counsel
For R3	: Mr.Raja Karthikeyan

ORDER

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to pay compensation for laying railway lines on the temple lands between Aralvaimozhi and N(North) Panagudi Stations and put up a compound wall at the cost of the respondent between the proposed second railway line connecting Aralvaimozhi and N (North) Panagudi Stations.



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2.The petitioner temple is coming under the purview of HR & CE Department. It has a pond and there is a railway line passing through the said land, which is behind the temple pond. Now the second railway line is being laid adjacent to the first line. The second line comes very closer to the temple pond. It is also likely to pose a huge threat to the safety and security of thousands of devotees visiting the temple. However, no compensation has been paid so far for laying the railway line over the temple lands.

3.The learned Standing Counsel, on instructions, submits that the Southern railway drawn railway line in the land comprised in Survey No. 719/4 at Aralvoimozhi, Kanniyakumari District and it is clarified that it is a Government poromboke land and marked as Kuttai. The said land does not belong to the temple. He has also produced the revenue record in this regard.

4.The petitioner had not even produced any document to show that the land comprised in Survey No.719/4 situated at Aralvaimozhi, Kanniyakumari District belonging to the petitioner's temple. Therefore,



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the representation submitted by the petitioner claiming compensation cannot be considered.

5. Accordingly, this writ petition is dismissed as devoid of merits.

No costs.

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Index : Yes / No

NCC : Yes / No

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To

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