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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2024

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A(MD)No.1929 of 2024
and
C.M.P(MD)Nos.14322 & 14324 of 2024

B.Madasamy .. Appellant/Writ Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

3.The Revenue Divisional Officer,
Ramanathapuram Revenue Division,
Ramanathapuram District.

4.The Thasildar,
Ramanathapuram Taluk,
Ramanathapuram District.

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5.The Village Administrative Officer,
Therbogi Village,
Ramanathapuram District.

6. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

7.Karnan

8.Muthusamy

9.Nagendran

10.Murugan

11.Saminathan

12.Adaikalam .. Respondents/ Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order of this Court made in W.P(MD)No.16872 of 2024 dated 25.07.2024.

For Appellant : Mr.A.N.Ramanathan

For Respondents : Mr.PT.Thiraviam
Government Advocate for R1 to R5

: Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)
for R6

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JUDGMENT

(Order of the Court was made by **P.VELMURUGAN., J)**

This Writ Appeal is directed against the order of this Court made in W.P(MD)No.16872 of 2024 dated 25.07.2024.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The appellant/writ petitioner filed the Writ Petition seeking for issuance of a Writ of Mandamus to forbear the respondents from interfering with the daily poojas, worship and celebration of festival in Sri Mayandi Sudalai Eesan Temple in S.F.No.107/2A of Therbogi Village, Ramanathapuram Taluk & District.

4. In the said writ petition, the learned Single Judge made an observation that since the petitioner had constructed an independent temple in his patta land, there will not be any prevention of the petitioner from doing his individual worship in the petition mentioned temple. However, if the petitioner wants to have public worship in the temple built in his patta land, then, the petitioner has

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to get permission from the District Collector and without doing so, the petitioner cannot run any temple. Challenging the said order, this writ appeal has been filed by the writ petitioner.

5. Today, when the matter is taken up for hearing, the appellant is not in a position to prove that he has obtained permission from the District Collector to built temple in his patta land. Under these circumstances, we do not find any merit in the Writ Appeal calling for interference by this Court in the order of the learned Single Judge and hence, the Writ Appeal deserves to be dismissed.

6. In view of the above, this Writ Appeal stands dismissed. No Costs. Consequently, connected Miscellaneous Petitions are dismissed. However, the appellant is at liberty to work out his remedy in the manner known to law.

[P.V.,J.] [K.K.R.K.,J.]
17.10.2024

NCC : Yes/No
Index : Yes / No
PJL

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P.VELMURUGAN, J.
and
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