



W.P.(MD) No.22493 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE **MR.D.KRISHNAKUMAR,**

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.22493 of 2018

Lingadurai

... Petitioner

-Vs-

- 1.The District Collector,
Tirunelveli District, Tirunelveli.
- 2.The Block Development Officer (Panchayat),
Valliyoar, Tirunelveli District.
- 3.The Tahsildar,
Radhapuram Taluk, Tirunelveli District.
- 4.The Special Officer,
Kannanallur Panchayat,
Radhapuram Taluk, Tirunelveli District.

5.Selvam Jeyaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the unauthorized construction put up by the 5th respondent in Survey No.426/2J of Thangaiyam, Kannanallur Village, Radhapuram Taluk, Tirunelveli District.

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For Petitioner : Mr.V.Sasi Kumar
For R1 to R4 : Mr.P.Thilakkumar,
Government Pleader
For R5 : Mr.J.Aswin Abisha

ORDER

[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]

According to the petitioner, the 5th respondent, without obtaining any building approval, put up a church in Survey No.426/2J, where he is conducting religious functions by playing Christianity songs and prasangam loudly, while conducting Brahma Sakthi Amman Kovil Poojai. Therefore, pointing out the unauthorized construction, the petitioner made a representation dated 22.06.2018 to the 1st respondent. However, no action has been taken. Therefore, the petitioner has filed this Writ Petition.

2.The learned Government Pleader for the official respondents would submit that the representation of the petitioner would be considered on merits and appropriate orders would be passed within the stipulated time to be fixed by this Court.



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3.Considering the limited scope of the prayer sought for by the writ petitioner, without going into the merits of the case, we are inclined to direct the 1st respondent to consider the representation of the petitioner dated 22.06.2018 and pass appropriate orders on its own merits and in accordance with law, after providing opportunity to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

4.It is needless to state that the petitioner shall submit a copy of his representation dated 22.06.2018 once again to the 1st respondent along with a copy of this order, enabling the 1st respondent to comply with the order of this Court within the stipulated time.

5.With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., A.C.J.] & [R.V., J.]
26.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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D.KRISHNAKUMAR, A.C.J.

AND

R.VIJAYAKUMAR, J.

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