



W.P.No.5629 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.5629 of 2025

A/M. Sri Muthukumara Swamy Thirukovil
Rep by its President P.Venkatachalam
S/o.Palani
No.44, Thanneer Panthalpudur
Koogalur Village, Gobichettipalayam Taluk
Erode District.

.... Petitioner

Vs

- 1.The District Collector
Erode District
Erode.
- 2.The District Revenue Officer
Erode District
Erode.
- 3.The Revenue Divisional Officer
Gobichettipalayam
Erode District.
- 4.The Tahsildar
Gobichettipalayam Taluk
Gobichettipalayam
Erode District.

.... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 herein to consider the representation dated 06.12.2024 sent by the petitioner for reclassification of land in which A/M. Sri Muthukumara Swamy Thirukkivil is situate as "Temple" instead of "Salai" in accordance with law and within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.M.R.Gokul Krishnan

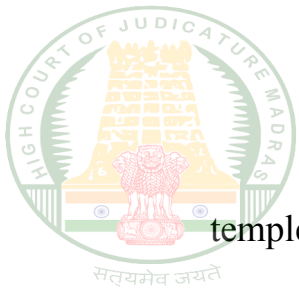
Additional Government Pleader for R1 to R4

ORDER

This writ petition has been filed for Writ of Mandamus directing the respondents 1 to 4 to consider the representation made by the petitioner-Temple to reclassify the land as 'Temple' instead of 'Salai'.

2. When the matter came up for hearing on 21.02.2025, this Court directed the learned Additional Government Pleader to take instructions and accordingly, the matter was listed for hearing today.

3. When the matter was taken up for hearing today, the learned Additional Government Pleader submitted the relevant documents and stated that the



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temple has been constructed in the road and taking advantage of the same, the petitioner wants to reclassify the land as 'Temple land' instead of 'Salai'.

4. On going through the materials placed before this Court, it is seen the temple has been constructed in the road, which is quite evident from the sketch as well as the photographs placed before this Court. This Court has repeatedly held that if in the name of God, the public property/road is encroached upon, the temple will be removed, in order to ensure that the general public are able to utilise the road. In other words, a man cannot be allowed to encroach upon the road in the name of God. Therefore, necessary steps must be taken to remove the encroachment.

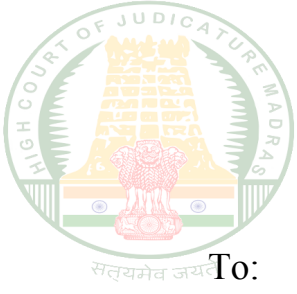
5. In the light of the above discussion, the relief sought for by the petitioner cannot be granted by this Court. Accordingly, the writ petition is dismissed.

No costs.

21.03.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

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To:

WEB COPY

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N. ANAND VENKATESH., J

ds

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