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W.P.No.16774 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.16774 of 2025
and WMP.No.19017 of 2025

Govindaraj

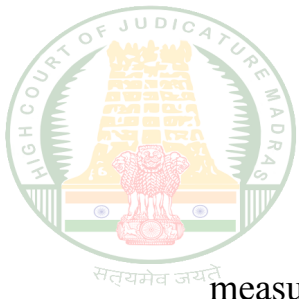
Vs

... Petitioner

1. The District Collector
Cuddalore District.
2. The Panchayat President
Orangur Village,
Veppur Taluk,
Cuddalore District.
3. The Tahsildar
Veppur Taluk,
Cuddalore District.
4. Ramasamy

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the 2nd respondent not to give permission of building in the petitioner land situated at Orangur Village, Veppur Taluk comprised in Survey No.538/12B



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measuring an extent about 40.25 based on the petitioner representation dated 22.01.2025.

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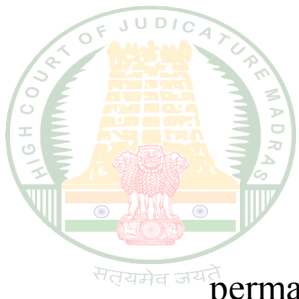
For Petitioner : Mr.P.Govindarajan

For Respondents : Mr.R.Murthi
Government Advocate for R1
M/s.P.Vijayadevi
Government Advocate for R2

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus to direct the 2nd respondent not to give permission for building in the petitioner's land situated at Orangur Village, Veppur Taluk comprised in Survey No.538/12B, measuring an extent about 40.25, based on the petitioner's representation dated 22.01.2025.

2. The facts reveal that there was a dispute with regard to the construction of a Temple in the village between the petitioner and the 4th respondent. The petitioner filed a suit in O.S.No.76 of 2020 for



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permanent injunction, on the file of the Additional District Munsif Court at Tittakudi and the same was dismissed on 29.08.2023. Thereafter the petitioner preferred an appeal in A.S.No.15 of 2023 and the same is pending on the file of the Sub Court, Tittakudi. While so, the 4th respondent, in order to disturb the petitioner's possession, claimed a share in the petitioner's property and sought permission to build the temple in the petitioner's lands. The petitioner therefore submitted a representation on 22.01.2025 to the 2nd respondent objecting to the sanction of permission to the 4th respondent, however it was not considered. Therefore, the petitioner filed the above writ petition.

3. It appears that the 4th respondent had earlier approached this Court by filing W.P.No.32243 of 2024 for a mandamus to direct the third respondent therein to pass a resolution or order pursuant to the Peace Meeting held on 18.09.2024 and with regard to the construction of the temple. The 4th respondent further sought direction to the respondents therein, for adequate police protection during the construction of the temple.



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4. This Court by order dated 25.02.2025 disposed of the writ petition in W.P.No.32243 of 2024, directing the third respondent to consider the 4th respondent's representation dated 12.09.2024, by issuing notice to the petitioner and the counter parties, if any, and pass orders on merits and in accordance with law, within a period of eight weeks. In compliance to the above order of this Court, the third respondent conducted an enquiry and passed an order on 07.05.2025, permitting the 4th respondent to construct the temple with necessary permission from the appropriate authority.

5. Though the learned counsel for the petitioner submitted that no opportunity of personal hearing was given to him by the 3rd respondent before passing the order dated 07.05.2025, I have perused the order and it appears that six objectors including the petitioner participated in the enquiry and only after recording the objections of the objectors, the 3rd respondent passed the order on 07.05.2025. In view of the order dated 07.05.2025 of the third respondent, in my considered opinion the prayer



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in the writ petition does not merit consideration and therefore the writ petition stands dismissed. In any event liberty is given to the petitioner to challenge the order of the third respondent dated 07.05.2025, in a manner known to law.

6. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

02.06.2025

dpq

Index: Yes/No

Speaking order / Non speaking order

To

1. The District Collector
Cuddalore District.

2. The Panchayat President
Orangur Village,
Veppur Taluk,
Cuddalore District.

3. The Tahsildar
Veppur Taluk,
Cuddalore District.



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N.MALA, J.

dpq

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