



W.P.No.17647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 11.06.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.17647 of 2024 and
W.M.P.No.18742 of 2025

M.Nagarajan

... Petitioner

-VS-

1. District Collector,
O/o.District Collector,
Erode.
2. Tahsildar,
O/o.Tahsildar,
Sathyamangalam Taluk,
Erode District.
3. Block Development Officer,
O/o.Block Development,
Bhavanisagar, Sathyamangalam Taluk,
Erode- 638 451.
4. The President,
Mudukanthurai Panchayat Union,
Bhavanisagar, Sathyamangalam Taluk,
Erode- 638 457.

5. Mr.Chinnaperumal @ Venkataraman

6. Mr.Selvan @ N.Tamilvanan

... Respondents

(The name of R6 amended as per order dated 04.03.2025)



W.P.No.17647 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st to 4th respondents to demolish the Temple, which was constructed illegally in S.No.28/41, Mudukanthurai Village, Thottapalayam Post, Sathyamangalam Taluk, Erode District in view of the representation dated 16.05.2024.

For Petitioner : Mr.P.Tamilavel

For R1 & R2 : Mrs.E.Renganayaki
Addl. Govt. Pleader

For R3 & R4 : Mr.V.Jeevagiridharan
Addl. Govt. Pleader

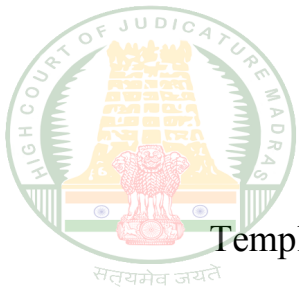
For R5 & R6 : Mr.Madhu Balaji

ORDER

(By J.NISHA BANU,J.,)

This Writ Petition has been filed for a direction to the respondents 1 to 4 to demolish the Temple, which was constructed illegally in S.No.28/41, Mudukanthurai Village, Thottapalayam Post, Sathyamangalam Taluk, Erode District in view of the representation dated 16.05.2024.

2. The case of the petitioner is that he is working as a Teacher in the Government School and his daughter is studying in a College. A



W.P.No.17647 of 2024

WEB COPY

Temple was constructed by the respondents 5 & 6 in a Poramboke Land in S.No.28/41, which is adjacent to the house of the petitioner. Because of the loud speaker used by the respondents 5 & 6, it causes disturbance to the family of the petitioner and affects the studies of his daughter. It is further case of the petitioner that the mandatory provisions of the Tamil Nadu Panchayat Building Rules, 1997 and the Tamil Nadu Town and Country Planning Act, 1971, have not been followed by the petitioner. Though he has given a representation dated 16.05.2024 to the respondents 1 to 4, no action has been taken on his representation. Hence, he has filed the present Writ Petition.

3. Per contra, learned counsel the respondents 5 & 6 contended that the Temple is in existence since 1957 and it was not constructed recently as averred by the petitioner. The petitioner has also participated in the Kumbabishekam of the Temple and thereafter, sent notices and representations to demolish the Temple with an ulterior motive. Hence, he prayed for dismissal of the Writ Petition.



W.P.No.17647 of 2024

4. Learned Additional Government Pleader appearing for the

2nd respondent stated that as per the order dated 02.04.2025, the Temple in dispute was inspected by the Tahsildar, Sathyamangalam on 12.04.2025 and in the report, it has been pointed out as under:

“7.the said temple in the name of Sri Ramalinga Sowdeswari Amman Kovil was constructed in an extent of 2 cents (0.00.81 Hectares) with the measuring of 12.0 meter in length and 6.8 meter in breadth for the worshipping of the people belonged to the Devanga Chettiar community has been used about 67 years. Though the temple has been used for about 67 years, the temple was renovated with compound wall before the 2022 and the consecration had been held on 20.01.2022....”

5. Learned Additional Government Pleader further brought to the notice of this Court the compliance report of the 2nd Respondent / Tahsildar dated 04.06.2025 as per the direction of this Court, wherein, in Paragraph No.4, it has been stated as follows:

“4. I respectfully submit that in compliance to the direction of the Hon'ble Court, the Tahsildar, Sathyamangalam has issued a letter in Na.Ka.874/2025/A1 dated 02.05.2025 to the administration of the temple in dispute, viz., Sri Ramalinga Sowdeswari Amman Kovil situated in Mudukkandurai Village, Sathamangalam Taluk, Erode District instructed to remove the



WEB COPY



W.P.No.17647 of 2024

wall constructed surrounding to the temple. According to the instructions, the administration of the above temple has removed the surrounding wall themselves on 27.05.2025. Now, it is ensured that the pathway in the above Natham Poramboke / street is free to the general public for their customary use.”

6. A copy of the aforesaid report has been handed over to the learned counsel for the petitioner. A reading of the status report coupled with the compliance report reveals that the Temple is in existence for 67 years and lastly, the consecration was held in the year 2022. It further reveals that the interim order dated 23.04.2025 of this Court has been complied with by the 2nd respondent. Therefore, we are of the view that nothing survives for further adjudication in this matter and the Writ Petition is liable to be closed.

7. Accordingly, the *Writ Petition stands closed*. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.,) (M.J.R,J.,)
11.06.2025

Index: Yes / No
Internet: Yes / No
ar

J.NISHA BANU, J.



WEB COPY



W.P.No.17647 of 2024

AND

M.JOTHIRAMAN, J.

ar

To:

1. District Collector,
O/o.District Collector,
Erode.
2. Tahsildar,
O/o.Tahsildar,
Sathyamangalam Taluk,
Erode District.
3. Block Development Officer,
O/o.Block Development,
Bhavanisagar, Sathyamangalam Taluk,
Erode- 638 451.
4. The President,
Mudukanthurai Panchayat Union,
Bhavanisagar, Sathyamangalam Taluk,
Erode- 638 457.

W.P.No.17647 of 2024

11.06.2025