



W.A.No.1888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN
W.A.No.1888 of 2025

1. Sri Muthukumaraswamy Thiru Kovil
Rep by its President P.Venkatachalam,
S/o. Palani, No.44, Thanneer Panthalpudur,
Koogalur Village, Gobichettipalayam Taluk,
Erode District

...Petitioner

Versus

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

Prayer: Writ Appeal is filed under Clause 15 of the Letters of Patent, praying to set aside the order of the learned single Judge, dated 21.03.2025 in W.P.No.5629 of 2025.



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For Petitioner(s): Mr.K.Govi Ganesay

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JUDGMENT

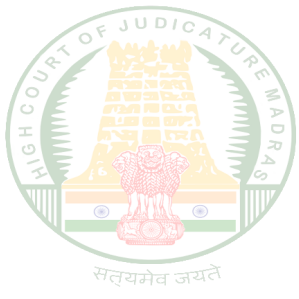
(By J.Nisha Banu,J.)

This Writ Appeal has been directed against the order, dated 21.03.2025 passed by the learned single Judge passed in W.P.No.5629 of 2025.

2. The appellant herein claims that the subject land where A/M Sri Muthukumara Swamy temple was constructed, is to be reclassified as 'temple land' instead of 'salai' and he made a representation, dated 06.12.2024 to the respondents, seeking for reclassification and as there was no action was forthcoming from the respondents, a writ petition was moved.

3. The learned Judge, on going through the relevant documents and materials placed before him, has made the following observation:

“4. On going through the materials placed before this Court, it is seen the temple has been constructed on 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



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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 the God. Therefore, necessary steps must be taken to remove the encroachment.”

4. Having observed so, vide order dated 21.03.2025, the learned Judge has dismissed the Writ Petition, which, in our opinion, requires no interference. Accordingly, the Writ Appeal is dismissed. No costs.

(J.N.B.J.,) (M.J.R,J.,)
24.07.2025

Index: Yes / No
Internet: Yes / No
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J.NISHA BANU, J.
and
M.JOTHIRAMAN,J.

suk

To

1. The District Collector
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