



WEB COPY



WP No.35780 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.35780 of 2025

Appusamy

.. Petitioner

-VS-

1. The District Collector,
First Floor, Collectorate,
Erode.
2. The Tahsildar,
Anthiyur, Erode District.
3. The Block Development Officer,
Ammapettai Panchayat Union,
Erode District.
4. The Executive Officer,
P.K.Pudur Village Panchayat,
Erode District.
5. R.Vellaiya Gounder
6. P.Anantharasu
7. M.Appusamy
8. C.Sakthivel
9. P.Muthu

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 3 and 4 herein to remove the unauthorised construction of Temple at Re-Survey No.229/1 of Kannapalli Village, Anthiyur Taluk, Erode District made by the respondents 5 to 9 herein based on the petitioner's representation dated 30.07.2025 within a stipulated time fixed by this Court.

For Petitioner : Mr.P.Vetrivel
For Respondents : Mr.M.Habeeb Rahman
Govt. Advocate for RR 1 to 4

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The challenge made to the illegality of construction of a temple on a private land is not maintainable, as the petitioner has already filed a suit claiming easementary rights and declaration thereon. But for the claim of easementary rights, the petitioner does not have any locus to challenge the illegality or irregularity of construction of any building on a private land.



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Petition is misconceived and is, accordingly, dismissed. There shall be no order as to costs. The trial Court shall not be influenced by the observations made by this Court.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
23.09.2025

Index : Yes/No
Neutral Citation : Yes/No

sra

To

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THE HON'BLE CHIEF JUSTICE

AND

G.ARUL MURUGAN, J.

(sra)

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