



W.P.No.31992 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 13.02.2025**

WEB COPY

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

**W.P.No.31992 of 2024**

Arumugam @ Aarusamy

... Petitioner

Vs.

1. The District Collector,  
O/o. The District Collector,  
Erode- Post and District.

2.The Superintendent of Police,  
O/o. The Superintendent of Police,  
Erode-District and Post.

3.The Sub Collector,  
O/o. The Sub Collector,  
Gobichettipalayam,  
Erode-District.

4.The Tahsildar,  
O/o. The Tahsildar,  
Nambiyur-Taluk,  
Erode -District.

5.The Block Development Officer (Village Panchayat)  
Village Panchayath Union Office,  
Nambiyur- Taluk, Erode – District.



W.P.No.31992 of 2024

6.The Inspector of Police,  
Varapalayam Police Station,  
Varapalayam-Post,  
Erode- District.

7.The Panchayath President,  
O/o. Panchayath President,  
Polavapalayam Panchayath,  
Nambiyur- Taluk,  
Erode District.

8.Manikanda Moorthy

9.Sachithantham

... Respondents

[R9 impleaded as per order dated 13.02.2025 in  
WMP.No.39711/2024 in WP.No.31992/2024]

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents No.1 to 7 to remove the unauthorized religious construction made in the Survey No.147/3C1 of Polavapalayam Village, Nambiyur Taluk, Erode District.

|                 |                                                             |
|-----------------|-------------------------------------------------------------|
| For Petitioner  | : Mr.D.Veerasekharan                                        |
| For R1, R3 & R4 | : Mr.T.Chandrasekaran<br>Special Government Pleader         |
| For R2 & R6     | : Mr.Vadivelu Deenadayalan<br>Additional Government Pleader |
| For R5 & R7     | : Mr.T.M.C.Kaushik                                          |



WEB COPY



W.P.No.31992 of 2024

For R8

: No Appearance

For R9

: Mr.S.Snehan Kandasamy

## **ORDER**

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The writ of mandamus has been instituted to direct the respondents 1 to 7 to remove the unauthorised religious construction made in the Survey No.147/3C1 of Polavapalayam Village, Nambiyur Taluk, Erode District.

2. It is not in dispute that the 9<sup>th</sup> respondent constructed an unauthorised temple adjacent to the road without obtaining necessary permission. The learned counsel for the 9<sup>th</sup> respondent is unable to produce any permission for construction of temple in the subject property.

3. In light of the above, the unauthorized construction of the temple without proper permission from the competent authority is liable to be removed.

4. However, the learned counsel for the 9<sup>th</sup> respondent on instruction



W.P.No.31992 of 2024

submitted that the 9<sup>th</sup> respondent will voluntarily remove the temple and entire structure within a period of six weeks and subsequently he will submit an application seeking necessary permission from the District Collector for construction of temple.

5. In view of the said submission, the respondents 1 to 7 are directed to ensure that the 9<sup>th</sup> respondent removes the unauthorised temple construction in the subject property within a period of six (6) weeks from today. In the event of failure on the part of 9<sup>th</sup> respondent, the respondents 1 to 7 are directed to remove the unauthorised temple structure after the expiry of six weeks time granted by this Court to the 9<sup>th</sup> respondent.

6. With the above directions, the Writ Petition stands dispose of. No costs.

[S.M.S., J.] [K.R.S., J.]

13.02.2025

(1/2)

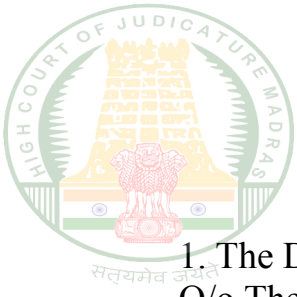
Index : Yes

Speaking order / Non-speaking order

Neutral Citation : Yes

Jeni

To



W.P.No.31992 of 2024

1. The District Collector,  
O/o. The District Collector,  
Erode- Post and District.

2. The Superintendent of Police,  
O/o. The Superintendent of Police,  
Erode-District and Post.

3. The Sub Collector,  
O/o. The Sub Collector,  
Gobichettipalayam,  
Erode-District.

4. The Tahsildar,  
O/o. The Tahsildar,  
Nambiyur-Taluk,  
Erode -District.

5. The Block Development Officer (Village Panchayat)  
Village Panchayath Union Office,  
Nambiyur- Taluk, Erode – District.

6. The Inspector of Police,  
Varapalayam Police Station,  
Varapalayam-Post,  
Erode- District.

7. The Panchayath President,  
O/o. Panchayath President,  
Polavapalayam Panchayath,  
Nambiyur- Taluk,  
Erode District.



WEB COPY



W.P.No.31992 of 2024

**S.M.SUBRAMANIAM, J.**  
**AND**  
**K.RAJASEKAR, J.**

Jeni

**W.P.No.31992 of 2024**

**13.02.2025**  
(1/2)