



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

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THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 215 of 2025

AND

CMP Nos. 1470 & 1471 OF 2025

K.Sivaraj

Appellant(s)

Vs

1.Tahsildar

Salem West Taluk,

Suramangala,

Salem 636 005

2.Sail Refractory Company Limited

(A Government of India Enterprise),

(A Subsidiary Of SAIL),

Post Bag No.565,

Salem -636 005,

Rep. By Its Chief Operating Officer.

Respondent(s)

WA No. 215 of 2025



PRAYER

To set aside the order made in W.P.No. 25606 / 2024 dated 20.09.2024 and the corrected order dated 03.10.2024.

WA No. 215 of 2025

For Appellant(s): Mr.V.Raghavachari, Senior
Counsel For Mr.S.Ayyathurai

For Respondent(s): Mr.Vadivelu Deenadayalan AGP
For R1
Mr.AR.L.Sundaresan ASGOI
Assist. By Mr.V.P.Raman For R2

JUDGMENT

(Judgment was delivered by S.M.Subramaniam J.)

The writ appeal has been instituted challenging the writ order dated 20.09.2024 passed in W.P.No.25606 of 2024.

2. The 2nd respondent filed a writ petition challenging the Peace Committee proceedings of the Tahsildar, Salem West, dated 28.05.2024. The proceedings were initiated due to a dispute between Group A and Group B regarding access to the Raman Temple. The Tahsildar passed an order stating



that a pathway must be provided to reach said Temple. The said order came to be challenged in the writ petition.

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3. The Writ Court considered the merits and set aside the Peace Committee proceedings and directed the Tahsildar to provide an alternate route to the worshippers based on a rough sketch dated September 5, 2024, prepared by the Town Surveyor, specifically the green-marked portion.

4. The learned Senior Counsel appearing on behalf of the appellant would mainly contended that the alternate route has not been provided. However it is disputed by the learned Additional Solicitor General of India appearing on behalf of the 2nd respondent, who claimed that alternate route has been provided. If at all it is not provided, the same is to be provided by the Tahsildar.

5. That apart, the learned Senior Counsel for the appellant would contend that the 2nd respondent company has got no legal right, and such rights of civil nature cannot be determined in the Writ Proceedings nor in a Peace Committee



proceedings. If at all the appellant is of the opinion that the illegal mining is going on and affecting the public rights or otherwise, he is at liberty to approach the competent authority for initiation of further actions.

6. However, the writ petition has been filed challenging the Peace Committee proceedings and the scope of the writ should not be expanded in the writ appeal. Thus, the writ appeal is to be confined only to ensure that the pathway is provided to reach the Raman Temple, which has been already provided by the Writ Court by obtained necessary sketch from the competent authority.

7. Thus, the worshippers are at liberty to use an alternate route already provided for the purpose of reaching the Raman Temple and the Tahsildar may ensure that such alternate route is protected enabling the worshippers to reach the Temple in a peaceful manner.



8. With these observations, the Writ Appeal Stands dismissed.

Consequently, the connected Miscellaneous Petitions are closed. There shall be

no order as to costs.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

01-04-2025

Jeni

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Tahsildar

Salem West Taluk, Suramangalam,
Salem 636 005

2.Sail Refractory Company Limited

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

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