



W.A(MD)No.728 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.A(MD)No.728 of 2025

M.T.Uma Maheswaran

... Appellant/Writ Petitioner

vs.

- 1.The District Collector,
Collectorate,
Madurai District.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai – 34.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar, Madurai – 625 016.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar, Madurai – 625 016.
- 5.The Divisional Engineer (Highways),
Construction and Maintenance,
Madurai – 625 002.



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- 6.The Superintending Engineer,
Office of the Superintending Engineer,
Madurai (Highways) Circle,
Construction and Maintenance,
Madurai – 625 002.
- 7.The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Periyar Vaigai Basin Circle,
Madurai Region,
Madurai.
- 8.IVLR Infrastructures,
Represented by the Director,
No.31, Indian Oil Petrol Bunk Campus,
Ashok Nagar – Palamedu Main Road,
Madurai.
- 9.NOTCH India Projects,
Represented by Project Manager,
Poriyalar Nagar,
Thiruppalai,
Madurai.
- 10.Arulmigu Vinayagar Temple,
Melamadai, Madurai,
Through its Executive Officer.

... Respondents/Respondents

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 08.01.2025 made in W.P(MD)No.28411 of 2024 on the file of this Court.



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For Appellant : Mr.K.P.Thiyagarajan
For RR 1 to 7 : Mr.J.Ashok
Additional Government Pleader
For R – 10 : Mr.S.Manohar

JUDGMENT

(Judgment of the Court was delivered by J.NISHA BANU, J.)

The present Writ Appeal is filed against the order passed by the Writ Court dated 08.01.2025 made in W.P(MD)No.28411 of 2024.

2.The appellant/writ petitioner has filed the Writ Petition for a direction, directing the respondents 1 to 4 to protect the 100 years old, ancient and antique Vinayakar Temple situated at Melamadai Revenue Village, Melamadai Main Road, Gandhi Nagar Post, Madurai, without affecting the existing Temple structure.

3.The Writ Court, after considering all the materials available on record, disposed of the Writ Petition, wherein it is observed as follows:



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“3.Considering the fact that the Temple has been in the present place from time immemorial and worshipped by the devotees of the Temple and also the availability of the Temple's land in S.No.7/25, this Court directs shifting of the Temple to the land owned by the Temple in S.No.7/25 to enable the completion of the over bridge. It is made clear that the fifth respondent who has been engaged in construction of the bridge, shall construct appropriate building in the said place within a period of three months from today (08.01.2025). In the meantime, the idol can be placed in the temporary structure in the same survey number in a properly constructed and secured temporary structure. The fifth respondent shall do the needful in complying with the said order.”

Challenging the same, the writ petitioner as appellant has preferred the present Writ Appeal.

4.Today, when the matter is taken up for hearing, Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents 1 to 7 and Mr.S.Manohar, learned counsel appearing for the 10th respondent/Temple fairly submitted that the High Level Committee has approved the proposal for shifting of the Temple.

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5.In view of the above, no further orders are required to be passed in this Writ Appeal. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
25.03.2025

NCC : Yes / No
Index : Yes / No
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ORDER MADE IN
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DATED : 25.03.2025