



W.P(MD)No.4510 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.4510 of 2025

Rajasankar

... Petitioner

vs.

1.The District Collector,
O/o.District Collector Office,
Karur,
Karur District.

2.The Executive Officer,
Krishnarayapuram Town Panchayat,
Karur Taluk,
Karur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to demolish and reconstructed the public toilet in the same place at Ward No.2, Mariamman Kovil Street, Krishnarayapuram Town Panchayat, Karur District within the time stipulated by this Court.



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For Petitioner : Mr.M.Vijayanand

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ of Mandamus has been instituted to direct the second respondent to demolish and reconstruct the public toilet in the same location at Ward No.2, Mariamman Kovil Street, Krishnarayapuram Town Panchayat, Karur District.

2.The existing public toilet is situated in S.No.77/1, which belongs to Arulmighu Mariamman Kovil. On 23.06.2023, the Hereditary Trustee of Krishnarayapuram Arulmighu Mariamman Temple issued a notice of encroachment regarding land belonging to the Temple, in which the Executive Officer has been arrayed as 21st encroacher, since the public toilet was constructed therein.



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3.The learned Government Pleader for the respondents, relying on the counter-affidavit filed by the Executive Officer, Krishnarayapuram Town Panchayat, would submit that the Panchayat has identified Government Tharisu land suitable for construction of a public toilet. Para 4 of the counter-affidavit states that the Vice Chairman of the Krishnarayapuram Town Panchayat had forwarded a letter dated 07.07.2022 along with a requisition letter of 34 persons seeking construction of the public toilet in S.No.77/8B wherein 0.01.5 ares of Government Tharisu land is available.

4.The learned counsel for the petitioner would submit that the Temple is ready and willing to lease the land in Survey No.77/1 for the construction of public toilets.

5.In view of the above, if there is no objection and the Temple is willing to lease the land for construction of public toilets, then the Executive Officer may complete the formalities and reconstruct the toilet in the same place. In alternate, the Executive Officer shall construct the toilet in the Government Tharisu land in Survey No.77/8B, as stated in the counter-affidavit. In any event,



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6. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
03.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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ORDER MADE IN
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