



W.P.(MD)No.12839 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.12839 of 2023
and
W.M.P.(MD)No.10868 of 2023

Patha Muthu

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.
- 4.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.
- 5.The Assistant Director of Panchayats,
Ramanathapuram.



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6.The Executive Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Ramanathapuram.

7.The Assistant Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Panaikulam,
Ramanathapuram District.

8.B.Veerasekaran

9.B.Singaravelu

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 to restrain anybody from putting up any construction in the tank in Survey No.71/1, Ponkulam Villae, Ramanathapuram District, erecting any idol and celebrating any festival and directing the respondents 6 & 7 to disconnect and dismantle the electricity service connection bearing No.05-310-002-001.

For Petitioner :Mr.T.R.Jeyapalam

For Respondents :Mr.K.Balasubramani
Special Government Pleader for R1 to R5
: Mr.S.Deenadhayalan
for R6 & R7
: No appearance for R8 & R9

ORDER

Heard both sides.



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2. It is not in dispute that Survey No.71/1 has been classified as water body. It appears that a small temple has been in existence for a very long time beneath the tree standing on the banks of the tank. The old structure can be allowed to remain as such. The private parties who are claiming to be the trustee of the temple cannot be allowed to put up further construction. It appears that some foundation has been laid. It shall be dismantled and removed. Status quo that originally existed alone can be allowed to remain.

3. With the aforesaid direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
03.01.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
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and

B.PUGALENDHI, J.

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- 3.The Revenue Divisional Officer,
Ramanathapuram District,
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- 4.The Tahsildar,
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Ramanathapuram District.
- 5.The Assistant Director of Panchayats,
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