



W.P.(MD)No.13976 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.05.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.13976 of 2025

and

W.M.P.(MD)No.10123 of 2025

V.Annalakshmi

: Petitioner

Vs.

- 1.The District Collector,
Karur District,
Karur – 639007.
- 2.The Revenue Divisional Officer,
Kulithalai Taluk,
Karur District.
- 3.The Superintendent of Police,
Karur District,
Karur.
- 4.The Inspector of Police,
Kulithalai Police Station,
Karur District.



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5.P.Manikandan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to consider the representation dated 28.04.2025, to direct the first and second respondent to refrain in allowing the festival to be held in the temple, which is of encroachment as stated by this Court.

For Petitioner : Mr.M.L.Ravi

For Respondents 1 & 2 : Mr.K.S.Selvaganesan

Additional Government Pleader

For Respondents 3 & 4 : Mr.K.Gnanasekaran,

Government Advocate [Crl. Side]

For Respondent No.5 : Mr.G.Kandhavadivelan

ORDER

The petitioner seeks to forbear the first and second respondents from permitting the festival to be held in the temple, by considering the petitioner's representation dated 28.04.2025.

2.The grievance of the petitioner is that the temple has been constructed encroaching into a water body.



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3.Considering the admitted position that the petitioner has already given a representation on 28.04.2025, the second respondent shall conduct enquiry on the petitioner's application dated 28.04.2025, after affording an opportunity to the petitioner as well as the private respondent and after taking into account the objections of the petitioner and the explanation offered by the respondent. If it is found that the temple is constructed on a water body, then the earlier directions of the Division Bench of this Court in *Suo Motu W.P.(MD)No.17136 of 2019 & CONT.P.(MD)No.872 of 2019*, have to be certainly complied with and the encroachments will have to be removed.

4.However, the Hon'ble Supreme Court has already granted an interim order of stay of operation of the orders of the Division Bench, directing demolition alone. Therefore, there can be no impediment for the authorities to permit the festival to go on, if it is found that the temple is not constructed on a water body.

5.Considering the claims and counter claims, the second respondent shall conduct due enquiry on the petitioner's representation dated 28.04.2025 and pass suitable orders regarding



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permission to be granted to the fifth respondent to perform the festival on 14.05.2025, taking into account all factors. If such permission is sanctioned by the third respondent, then necessary direction shall be issued to the fourth respondent, to ensure availability of police personnel on the festival date, to ensure that there is no breach of law and order situation. The said application of the petitioner shall be disposed of, on merits and in accordance with law, after hearing all the parties interested, on or before **12.05.2025**.

6.Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

08.05.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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P.B.BALAJI., J.

MR

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