

W.P.(MD) No.16634 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.16634 of 2025

and

W.M.P.(MD) No.12633 of 2025

N.Muthumalai

... Petitioner

Vs.

1.The Tahsildhar,
Sathankulam Taluk,
Thoothukudi District.

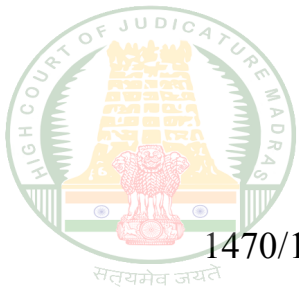
2.The Executive Officer,
Sathankulam Town Panchayat,
Sathankulam,
Thoothukudi District.

3.N.Ramasubbaiah

4.M.Saravanan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the second respondent from permitting the third and fourth respondents and their men from extending Sri Selva Vinayagar Temple in the Government/Panchayat land situated in the southern side of the petitioner's house in Survey No.



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1470/18 of Sathankulam Village, Thoothukudi District in the light of the proceedings of the first respondent in Na.Ka.No.A1/895/2025 dated 27.02.2025 as well as his representation dated 13.03.2025 submitted to him in person within the time that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimuthurasu
For R1 : Mr.C.Satheesh
Government Advocate
For R2 : M/s.K.Malathi
Additional Government Pleader

ORDER

This Writ Petition is being disposed of, at the time of admission, after hearing the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent and the learned Additional Government Pleader appearing for the second respondent and after dispensing with notice on the third and fourth respondents.

2. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, forbearing the second respondent from permitting the third and fourth respondents and their men from extending the Sri Selva Vinayagar Temple on the Government/Panchayat land situated to the



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south of the petitioner's house in Survey No.1470/18 of Sathankulam

Village, Thoothukudi District, in the light of the proceedings of the first respondent in Na.Ka.No.A1/895/2025 dated 27.02.2025, as well as the petitioner's representation dated 13.03.2025 submitted in person, within the time to be stipulated by this Court.

3. The case of the petitioner is that the private respondents, namely the third and fourth respondents, have demolished the temple, which was located adjacent to the petitioner's compound wall, and in the process, also demolished the petitioner's compound wall. They have now proposed to construct a new temple partly on the *poramboke* land and partly on the land belonging to the petitioner.

4. It is the further case of the petitioner that he had submitted a representation to the first respondent, and that the first respondent, in his proceedings dated 27.02.2025 bearing reference Na.Ka.No.A1/895/2025, informed the petitioner to approach the Sathankulam Town Panchayat for appropriate relief and confirmed that no permission had been granted by the Revenue Department for construction of the temple on the said *poramboke* land. However, the private respondents are proceeding with

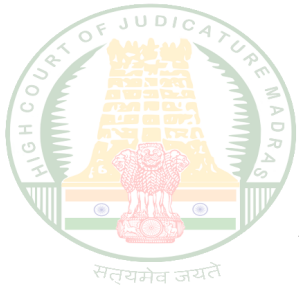


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the construction both on the *poramboke* land and on the land under the control of the petitioner.

5. Considering the fact that the construction of the temple is proposed to be made on *poramboke* land as well as on the land under the occupation of the petitioner by demolishing the compound wall, there shall be a direction to the second respondent to consider and pass appropriate orders on the petitioner's representation, seeking to restrain the grant of planning permission to the third and fourth respondents, within a period of four weeks from the date of receipt of a copy of this order. Needless to state, before passing any such order, notice shall be issued to the petitioner as well as to the third and fourth respondents, and they shall be afforded an opportunity of hearing.

6. In case it is the contention of the petitioner that the third and fourth respondents have also trespassed into his property by demolishing the compound wall on the petitioner's *patta* land, it is open to the petitioner to approach the Civil Court for appropriate relief.



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7. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

- 1.The Tahsildhar,
Sathankulam Taluk,
Thoothukudi District.
- 2.The Executive Officer,
Sathankulam Town Panchayat,
Sathankulam,
Thoothukudi District.



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C.SARAVANAN, J.

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