



W.P.(MD) No.22164 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22164 of 2025

in

W.M.P(MD)No.17256 of 2025

SM.Subramaniam

... Petitioner

Vs.

- 1.The Commissioner,
HR &CE Department,
Chennai.
- 2.The Assistant Commissioner,
HR &CE Department,
Pudukottai.
- 3.The Executive Officer,
Pudukottai Devasthanam,
Pudukottai.
- 4.The District Collector,
Pudukottai.
- 5.The Superintendent of Police,
Pudukkottai.
- 6.V.Karuppiah

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 1 to 5 to ensure allotment of works and their smooth performances, that are allotted to the petitioner villagers namely Kummangudi village in the order dated 31.01.2025 in WP(MD)NO. 29785 of 2024 and proceedings dated 25.02.2025 in Na.Ka.No. 673/2023/H of the 3rd respondent by granting necessary protection and by ensuring no disturbance by the 6th respondent villagers namely Minikanendhal village.

For Petitioner : Mr.R.Shanmuganathan

For R1,R2 & R4 : Mr.S.Madhavan
Additional Government Pleader

For R3 : Mr.G.Mathavan
Standing Counsel

For R5 : Mr.Vaikam Karunanithi
Government Advocate (Crl.side)

ORDER

The petitioner is before this Court for the second time. Earlier, the petitioner had filed WP(MD)No.29785 of 2024. The said writ petition was filed for the following relief:

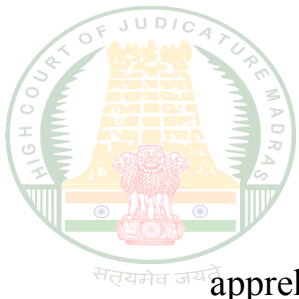


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Writ Petition is filed seeking Writ of Certiorarified Mandamus, to call for the records, pertaining to the order passed by the third Respondent in his proceedings in Se.Mu.Na.Ka. No.13483/2024/Aa1 dated 09.10.2024 granting permission to the 7th and 8th respondent villagers (Meenikonendal Village) to start construction work in the disputed suit Temple known as Sri Sethu Vinayagar Temple and quash the same as illegal and arbitrary and consequently direct the respondents 1 to 5 to give opportunity to the petitioner villagers and all other interested villagers in Kummangudi Village Panchayat to construct the Temple from the funds collected from all the villages by following the various procedures as envisaged under the HR & CE Act and Rules.

2. In the said writ petition, the private respondent No.6 herein was the 7th respondent along with K.Karuppaiah, Ganapathy and Prabhakaran. There, the Court passed a via media order pursuant to the affidavit filed by the petitioner and the private respondents therein. The dispute pertains to renovation work of Sri Sethu Vinayagar Temple. The dispute pertains to the exact location of the aforesaid temple and the claim of the parties as to whether the temple is to be treated as within the Meenikonendal or Kummangudi Village Panchayat. The petitioner



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apprehends that pursuant to the aforesaid via media order, a work allotment was issued by the executive officer in his proceedings bearing reference Na.Ka.No.673/2023/H dated 25.02.2025. It is submitted that pursuant to the aforesaid issuance of the work allotment, one of the work was also undertaken. However, the persons belonging to the Meenikonendal village had created ruckus.

3. Learned counsel for the respondent on the other hand submits that the writ petition is pre-mature, as work allotment will be issued in due course only after obtaining necessary estimate and carrying out soil testing. It is submitted that the work allotment is expected to be issued in next four months time and therefore the writ petition that has been filed is unnecessary. That apart, learned counsel for the third respondent would submit that the peace committee meeting that was held on 26.07.2025 did not relate to the work that was executed, rather the name to be given in the name board to be fixed in the borewell work before allotment of work to the persons of the petitioner's village.



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4. Having considered the submissions made by the learned counsel for the petitioner and the learned counsel for the respondents 1 to 4 and after dispensing notice on the sixth respondent, the writ petition is disposed by directing the official respondents to allot the work strictly in accordance with the work allotment order of the third respondent dated 25.02.2025. In case, the petitioner apprehends any untoward incidents at the time of execution of the work, it is always open to the petitioner to approach the fifth respondent or the jurisdictional police station for protection.

5. With the above observation, this Writ Petition stands disposed. No costs. Consequently, connected miscellaneous petition stands closed.

12.08.2025

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

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C.SARAVANAN, J.

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To

- 1.The Commissioner, HR &CE Department,
Chennai.
- 2.The Assistant Commissioner, HR &CE Department,
Pudukottai.
- 3.The Executive Officer, Pudukottai Devasthanam,
Pudukottai.
- 4.The District Collector, Pudukottai.
- 5.The Superintendent of Police, Pudukkottai.

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