



W.P.(MD)No.22436 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.08.2025

CORAM

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

W.P(MD)No.22436 of 2025
&
W.M.P.(MD)Nos.17527 & 17528 of 2025

G.Balaji

... Petitioner

Vs.

**1.The District Collector,
Thanjavur,
Thanjavur District.**

**2.The Commissioner,
Kumbakonam Corporation,
Kumbakonam,
Thanjavur District.**

**3.The Tahsildar,
Kumbakonam, Kumbakonam Taluk,
Thanjavur District.**

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records of the relating to the impugned order of the 2nd respondent Na.Ka.No. 8677/2021/d1 dated 25.07.2025 and quash the same.



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For Petitioner :Mr.T.Stalin

For Respondents :Mr.S.Vinodh
Government Advocate
for R1 & R3

: Mr.B.Jameel Arasu
for R2

ORDER

Heard both sides.

2. The petitioner is an office bearer of an association to maintain the petition mentioned temple. Pursuant to the direction issued by the Division Bench in Review Application No.9 of 2025, dated 02.07.2025, the impugned communication dated 25.07.2025 has been issued by the local body calling upon the petitioner to dismantle the petition mentioned temple in its entirety.

3. The stand of the petitioner is that on the banks of the petition mentioned water body, there has been a Vinayaga idol for more than 300 years. It is however conceded that the temple was constructed only recently. Since the construction of the temple is of recent origin, it is not entitled to any protection. The temple's structure will have to be dismantled in its entirety. Since Vinayagar Chathurthi is to be celebrated next week, the impugned order shall



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be put on hold and not enforced till 10.09.2025. It is open to the petitioner to

place the relevant materials before the second respondent to demonstrate that Vinayaga idol was in existence till 15th August 1947. If that be so, the Vinayaga idol alone will be left intact. We make it clear that no structure shall be put up thereafter also.

4. The impugned order is confirmed to the aforesaid extent. The Writ Petition is disposed of accordingly. To reiterate, the present structure will have to be dismantled in its entirety and no new construction shall be put in future also. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
21.08.2025

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

To

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Tahsildar,
Kumbakonam, Kumbakonam Taluk,
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