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W.P.(MD)NO.25819 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.25819 of 2025 AND

W.M.P.(MD)Nos.20208 & 20209 of 2025

N.Vaigunda Kumar

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District at Nagercoil.
2. The Assistant Director of Town Panchayat,
Nagercoil,
Kanyakumari District.
3. The Junior Engineer,
Water Resource Department(Irrigation),
Myladi, Kanyakumari District.
4. The Executive Officer,
Marungur Town Panchayat,
Marungur,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the fourth respondent dated 11.09.2025 in Na.Ka.No.552/2024/A1 and quash the same.



For Petitioner : Mr.V.Sasi Kumar

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For Respondents : Mr.R.Ragavendran,
Government Advocate for R-1 to R-3.

Mr.K.S.Selvaganesan,
Additional Government Pleader for R-4.

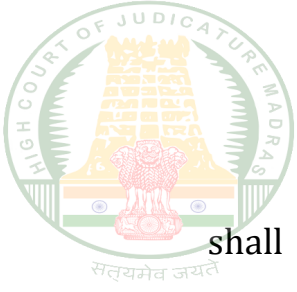
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ORDER

Heard both sides.

2. The petitioner wants this Court to restrain the respondents from demolishing the petition-mentioned temple. The temple is located in a water body. There is no concrete proof to show that the temple was in existence on 15.08.1947. Only such structures will be entitled to statutory protection. Therefore, we are not in a position to grant relief. However, taking into account the special facts and circumstances of this case, we grant nine months time to shift the temple to any alternative site.

3. The grant of time for demolishing has been granted to the petitioner by taking into account the petitioner's undertaking before this Court. We make it clear that the grant of time in this writ petition



shall not come in the way of the authorities from taking action against the remaining encroachers. This writ petition stands dismissed with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
18th September 2025

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

PMU

To:

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Kanyakumari District at Nagercoil.
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AND

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