



W.P(MD)No.30774 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)Nos.30774 of 2025

and

W.M.P(MD)Nos.23955, 23956 and 23957 of 2025

Arulmigu Silambanichidambara Vinayagar Thirukovil,
rep. by its Executive Officer,
Devakkottai,
Sivagangai District.

..Petitioner

Vs

1.The Municipal Corporation,
Rep. by its Commissioner,
Devakottai Municipality,
Sivagangai District.

2.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

3.The Sub Inspector of Police,
Devakottai Police Station,
Sivagangai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings of the 1st respondent vide Na.Ka.No.5200/2025/F1 dated 22.10.2025 to the extent it authorizes construction, erection of temporary market structures or any commercial activity in and around Silambani Oorani, Survey No.57, Block No.08, Ward J Devakottai Taluk, Sivagangai District, and consequently direct the



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respondents to relocate the temporary market or commercial activity to a suitable alternative municipal location and quash the same.

For Petitioner : Mr.VR.Shanmuganathan

For Respondents : Mr.Veerakathiravan
Addl. Advocate General assisted by
Mr.K.R.Bharathi Kannan
Standing Counsel for R1

Mrs.D.Farjana Ghoushia
Spl. Govt. Pleader (for R2)

Mr.S.Prakash
Govt. Advocate (Crl. Side) (for R3)

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings of the 1st respondent in Na.Ka.No.5200/2025/F1, dated 22.10.2025, to the extent it authorizes the construction or erection of temporary market structures or any commercial activity in and around Silambani Oorani, Survey No.57, Block No.08, Ward J, Devakottai Taluk, Sivagangai District, and consequently to direct the respondents to relocate the temporary market or commercial activity to a suitable alternative municipal location and quash the same.



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2. According to the petitioner, the impugned action has resulted in the erection of sheds and stalls around the temple tank, thereby obstructing access and causing pollution in the sacred area. It is contended that such unauthorised use of temple property is contrary to the provisions of the Hindu Religious and Charitable Endowments Act.

3. When the matter was taken up for hearing, the learned Additional Advocate General, appearing for the first respondent, submitted that the temporary shops will be removed once the permanent market construction is completed. He further undertook that the first respondent Corporation will also remove all garbage and waste materials left by the shopkeepers who use the temporary sheds.

4. Recording the above submission and undertaking, this writ petition is disposed of, in terms of the assurance that only constructions beyond the Oorani and within the road margin shall be permitted. No costs. Consequently, connected miscellaneous petitions are closed.

30.10.2025

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



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To

- 1.The Commissioner of Municipal Corporation,
Devakottai Municipality,
Sivagangai District.
- 2.The Tahsildar,
Devakottai Taluk,
Sivagangai District.
- 3.The Sub Inspector of Police,
Devakottai Police Station,
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P.T.ASHA, J.

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