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W.P.(MD)NO.1039 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.1039 of 2020 and

W.M.P.(MD)No.828 of 2020

A-2317 Madurai Thiruvalluvar Weaver's
Co-operative Production and Sale Society Ltd.,
Rep. by its Administrator,
K.Prabakaran,
S/o.Karupaiah,
97, Vallauvar Colony, Old Natham Road,
Madurai – 625 017.

(Petitioner is amended vide order dated 07.04.2026
in W.M.P.(MD)No.24616 of 2024)

... Petitioner

Vs.

1. The District Collector,
Collectorate Campus, Alwarpuram, Madurai – 625 020.
2. The Madurai Corporation,
Rep. by its Commissioner,
Aringar Anna Maligai,
Tallakulam, Madurai – 625 002.
3. The Commissioner of Police,
1/165, Alagar Kovil main road,
KK Nagar, Race Course Colony,
K.Pudur, Madurai – 625 002.
4. The Local Planning Authority,
Rep. By its Member Secretary,
4, Hakkim Amalkhan Road,
Chinna Chokkikulam, Madurai – 625 002.



5. P.V.Manikandan

... Respondents

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Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to forbear the fifth respondent from expanding the temple encroaching into the area allocated as public utility space in survey No.223 and 224, Tallakulam Village, Valluvar Colony, Madurai North Taluk, Madurai 625 017 and remove the illegal construction made in the area allocated for public utility space meant for park, school, office, market, well and overhead tank to an extent of 1.54 acres space in survey No.223 and 224 Tallakulam Village, Valluvar Colony, Madurai North Taluk, Madurai 625 017 within a time frame stipulated by this Court.

For Petitioner : Mr.S.Rajasekar,
for M/s.T.Lajapathi Roy Associates.
For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R-1, R-3 & R-4.
Mr.K.Sivabalan for R-2.
Mr.T.R.Subramanian for R-5.

* * *

ORDER**(Order of the Court was delivered by G.R.SWAMINATHAN, J.)**

Heard both sides.

2. The question that calls for consideration is whether the fifth respondent while renovating the petition mentioned temple had



expanded its dimensions and encroached upon the public utility spaces.

3. Since factual aspects are involved, this Court appointed an Advocate Commissioner. The Advocate Commissioner has since submitted report. It is seen therefrom that the temple which was constructed way back in the year 1962 was recently renovated in the year 2015-16 and while doing so, marginal expansion appears to have taken place. The construction shown as an encroachment in the Commissioner's report shall be removed by the Corporation officials. This shall be done as expeditiously as possible. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
21st April 2026

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

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AND

R.POORNIMA, J.

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