



WP(MD). No.3097 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **12.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE **KRISHNAN RAMASAMY**

WP(MD). No.3097 of 2026
and W.M.P(MD)No.2554 of 2026

Meenambigai

... Petitioner

Vs

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sathur, Virudhunagar District.
3. The Tahsildar,
Virudhunagar,
Virudhunagar District.
4. The Special Officer,
Sankaralingapuram Panchayat,
Virudhunagar Taluk,
Virudhunagar District.

... Respondents

PRAYER :-

Writ Petition, filed under Article 226 of the Constitution of India,
praying this court to issue a Writ of Mandamus directing the respondents



WP(MD), No.3097 of 2026

1 to 3 not to demolish the Arulmighu Sowdambigai Kovil in-front of Kovil Shed and Shade Situated in Sy No.950 and 1646/2 (54 Squaremeter) Sankaralingapuram Village, Ondipulinayakkanurar Utikidai, Virudhunagar Taluk, Virudhunagar District other than process of law on the basis of petitioner's representation dated 28.01.2026.

For Petitioner : Mr.G.Mariappan,

For Respondent : Mr.S.Shanmugavel,
Addl. Govt. Pleader for R1 to R3
Mr.V.Om Prakash,
Govt. Advocate for R4

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 to 3 not to demolish the Arulmighu Sowdambigai Kovil in-front of Kovil Shed and Shade Situated in Sy No.950 and 1646/2 (54 Squaremeter) Sankaralingapuram Village, Ondipulinayakkanurar Utikidai, Virudhunagar Taluk, Virudhunagar District other than process of law on the basis of petitioner's representation dated 28.01.2026.



WP(MD), No.3097 of 2026

2. The learned counsel appearing for the petitioner would submit that after obtaining necessary permission from the Panchayat President, vide letter dated 24.09.2024, the shed and shade in the subject property were put up for the benefit of the public. However, suppressing all these facts, one Saravanan has filed a Writ Petition before the Hon'ble Division Bench this Court in W.P.(MD)No.1710 of 2025, seeking to remove the encroachment in the subject property, by considering his representation. The Hon'ble Division Bench of this Court, by order dated 23.01.2025, directed the authorities to consider the representation of the petitioner within a period of three weeks from the date of receipt of copy of that order. Based on the direction issued by the Division Bench of this Court, the 3rd respondent has issued a notice dated 03.02.2026 under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. As against the said order, an appeal was also filed by the Temple authorities. Hence, the petitioner has prayed for appropriate orders.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that based on the direction issued by the Hon'ble Division Bench in W.P.(MD)No.1710 of 2025, the 3rd



WP(MD), No.3097 of 2026

respondent has issued a notice dated 03.02.2026. He would further submit that the petitioner in the above said Writ Petition also filed a contempt petition against the official respondents before this Court. Hence, he prays for dismissal of this Writ Petition.

4. This Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

5. On a perusal of the records, it is seen that after obtaining necessary permission from the Panchayat President, the shed and shade were put up in front of the temple. This fact was not brought to the knowledge of the Division Bench of this Court. Further, it is seen that the shed and shade put up in front of the temple will not affect the ingress and egress of the public, and it appears that the shed and shade were put up only for the benefit of the public in front of the temple

6. In view of the above, this Court directs the respondents 1 to 3 not to demolish the shed and shade Situated in Sy No.950 and



WP(MD), No.3097 of 2026

1646/2 (54 Squaremeter) Sankaralingapuram Village,

WEB COPY Ondipulinayakkanurar Utikidai, Virudhunagar Taluk, Virudhunagar District, in front of the Arulmighu Sowdambigai Kovil. It is made clear that if any contempt proceedings are initiated against the official respondents, they are directed to bring the attention of the all the material facts to the Hon'ble Division Bench and take leave of the Hon'ble Division Bench to take appropriate action in the manner known to law.

7. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

12.02.2026

Index : Yes/No

NCC : Yes/No

vsm



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WP(MD), No.3097 of 2026

KRISHNAN RAMASAMY, J.

vsm

TO

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WP(MD) No.3097 of 2026

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