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W.P.(MD)NO.9108 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.9108 of 2022

V.Lakshmi Kanthan

... Petitioner

Vs.

1. The District Collector,
O/o.the District Collector,
Madurai District,
Madurai – 20.
2. The Superintendent Engineer,
National Highways Department,
Madurai Regional,
Madurai-20.
3. The Tahsildar,
Tahsildar Office,
Madurai West Taluk,
Madurai.
4. The Member Secretary,
Town and Country Planning Department,
Office at the Town and Country Planning,
Madurai Corporation Office,
Madurai-20.
5. The Commissioner,
Madurai Corporation,



Corporation Office,
Madurai.

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6. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

7. The Inspector of Police,
Jaihindpuram police station,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made in the public road in Sundarajapuram, A.A.Road in front of (eastern side of) petitioner's property S.No.34/27A in Madakulam Village, Madurai West Taluk within the time limit stipulated by this Court.

For Petitioner : Mr.N.S.Karthikeyan

For Respondents : Mr.M.P.Senthil,
Government Advocate for R-1 to R-4.

Ms.Devasena for R-5.

Mr.V.Shathurthi Raja,
Government Advocate for R-6 & R-7.

* * *

ORDER



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

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2. The petitioner is a resident of Subramaniapuram. He points out that one temple has recently been constructed in the petition mentioned public road. The Corporation authorities confirmed the petitioner's allegation. If it is a very old temple then we can adopt a different approach. But that does not appear to be the case. It is said to be a recent construction. Construction of a religious structure on a public road is impermissible in law.

3. We direct the fifth respondent to demolish the said temple. The seventh respondent is directed to provide suitable assistance and protection to the Corporation officials to demolish the same. This writ petition stands allowed. No costs.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
01st June 2026

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

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R.POORNIMA, J.

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