

W.P.(MD)No.14359 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**  
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**DATED : 27.05.2026**

**CORAM:**

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**  
**AND**  
**THE HONOURABLE MR JUSTICE P.VADAMALAI**

**W.P.(MD)No.14359 of 2026**  
**and**  
**W.M.P(MD)No.10791 of 2026**

Patha Muthu

... Petitioner

-VS-

- 1.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.
- 2.The District Revenue Officer,  
Ramanathapuram District,  
Ramanathapuram.
- 3.The Revenue Divisional Officer,  
Ramanathapuram District,  
Ramanathapuram.
- 4.The Tahsildar,  
Ramanathapuram Taluk,  
Ramanathapuram District.
- 5.The Assistant Director of Panchayats,  
Ramanathapuram.

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6.The Executive Engineer (Distribution),  
Tamilnadu Generation and Distribution Corporation Limited,  
Ramanathapuram.

7.The Assistant Engineer (Distribution),  
Tamilnadu Generation and Distribution Corporation Limited,  
Panaikulam,  
Ramanathapuram District.

8.The Superintendent of Police,  
Ramanathapuram.

9.The Deputy Superintendent of Police,  
Ramanathapuram.

10.The Inspector of Police,  
Devipattinam Police Station,  
Ramanathapuram District.

11.B.Veerasekaran

12.B.Singaravelu ... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 10 to restrain anybody from putting up any temporary shed or construction in the unfinished foundation in the middle of the tank in Survey No.71/1, Ponkulam Village, Ramanathapuram District and celebrating any festival either on 30.05.2026 or any other day.



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For Petitioner : Mr.R.Raja  
For R1 to R5 : Mr.R.Parthiban  
Counsel for State of Tamilnadu  
For R6 & R7 : Mr.S.Deenadayalan  
For R8 to R10 : Mr.T.Lenin Kumar  
Counsel for State of Tamilnadu

### **ORDER**

**(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)**

This writ petition has been filed seeking a direction to respondents 1 to 10 to restrain any person from putting up any temporary shed or construction over the unfinished foundation situated in the middle of the tank in Survey No.71/1, Ponkulam Village, Ramanathapuram District, and from conducting any festival either on 30.05.2026 or on any other day.

2.The case of the petitioner is that respondents 11 and 12 have encroached upon an extent of 1 acre and 26 cents in Survey No.71/1, which has been classified as a waterbody. Earlier, the petitioner had approached this Court by filing W.P.(MD) No.12839 of 2023 seeking removal of the encroachment. By order dated 03.01.2025, this Court



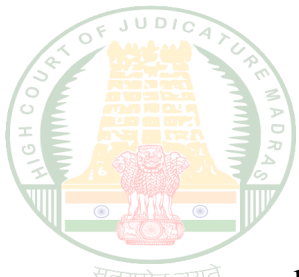
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directed that the trustees of the temple shall not be permitted to put up any further construction and further directed that the foundation already laid should be dismantled and removed, and that only the original status quo should be maintained.

3. Since the respondents had not taken steps to dismantle and remove the foundation, the petitioner filed Cont.P.(MD) No.536 of 2026, which is posted for hearing on 04.06.2026. In the meantime, respondents 11 and 12, in violation of the order of this Court, decided to conduct a temple festival on 30.05.2026 and initiated steps to install idols in the encroached portion, thereby attempting to prevent removal of the encroachment. The petitioner had also submitted a complaint to respondents 8 to 10. As no effective action was taken by respondents 8 to 10, the petitioner has approached this Court by filing the present writ petition.

4. The learned counsel appearing for the State of Tamil Nadu on behalf of respondents 1 to 5 submitted that steps are being taken to



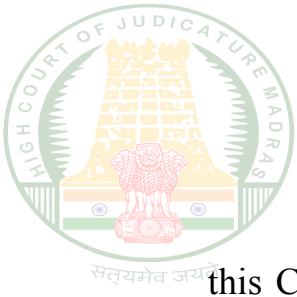
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comply with the order of this Court dated 03.01.2025 and assured that the entire encroached portion would be removed on or before 02.06.2026. He further submitted that no idol would be permitted to be installed at the place and that only prayers would be allowed.

5. The learned counsel appearing for respondents 8 to 10 submitted that respondents 8 to 10 would ensure that no idols are installed. Based on the representation given by the petitioner, an enquiry was conducted in C.S.R. No.58 of 2026 and respondents 11 and 12 were summoned, but they failed to appear for the enquiry. He further submitted that respondents 8 to 10 would ensure that the order of this Court dated 03.01.2025 passed in W.P.(MD) No.12839 of 2023 is not violated.

6. Considering the fact that Cont.P.(MD) No.536 of 2026 is posted for hearing on 04.06.2026, and also taking into account the undertaking given by Mr. M.P. Senthil, learned counsel for the State of Tamil Nadu, that respondents 11 and 12 would not be permitted to install any idol at the place and that only prayers would be allowed, and that the order of



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this Court dated 03.01.2025 would be fully complied with by removing the foundation, this Court directs respondents 1 to 10 to permit respondents 11 and 12 to conduct prayers only in the old structure. They shall not be permitted to install any idol or conduct prayers and poojas on the foundation which is liable to be removed.

7. In view of the above, this writ petition is disposed of. Respondents 1 to 10 shall ensure strict compliance with the order of this Court dated 03.01.2025 passed in W.P.(MD) No.12839 of 2023. Respondents 11 and 12 are permitted to offer prayers only in the old structure and shall not be permitted to conduct any poojas/prayers or install any idols in the encroached portion. No costs. Consequently, the connected miscellaneous petition is closed.

[A.D.J.C., J.] [P.V.M., J.]  
27.05.2026

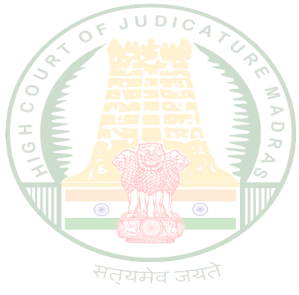
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**A.D.JAGADISH CHANDIRA,J.  
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