

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13653 of 2015
and M.P.No.1 of 2015

Arulmigu Anjaneya Swamy Temple
represented by its Hereditary Trustee
D.Kumar,
Thiru.vi.ka.Street,
Villupuram. ...Petitioner

-Vs-

- 1.The Commissioner,
Hindu Religious & Charitable
Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Villupuram.
- 3.S.S.Deen @ Samsudeen
S/o.Sheik Dawood,
143, Thiru.vi.ka. Street,
Villupuram. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to immediately take action against the third respondent to stop any further alteration or change of nature of the business including setting up of non-vegetarian restaurant in the temple property situated at Door No.143, Thiru.vi.ka Street, Villupuram.

For Petitioner : Mr.N.Suresh
For Respondents : Mr.M.L.Mahendran
Government Advocate [R1 & R2]

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The grievance expressed by the petitioner is that the temple viz., Arulmigu Anjaneya Swamy Temple, is the absolute owner of the subject property and the third respondent is running a mobile phone sales and service shop in the said property and now he wants to put up a non-vegetarian restaurant.

3. Learned counsel for the petitioner submits that in the event of establishment of non-vegetarian restaurant by the third respondent, the sentiments of the worshipers would be affected and it may lead to law and order problem. Learned counsel also invites the attention of this Court to the complaint given by the Executive officer and prays for appropriate orders.

4. Heard the submissions made by Mr.N.Suresh, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate, who accepts notice for respondents 1 and 2 and submits that for having sent the representation dated 21.04.2015 to the first respondent, no acknowledgment is available.

5. This Court, taking into consideration the above facts and circumstances, permits the petitioner to submit one more representation to the first respondent by enclosing a copy of necessary documents within a period of two weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the same, is directed to consider and dispose of the representation and pass orders within a period of six weeks thereafter. At the time of considering the petitioner's representation, the first respondent shall also call for report from the second respondent and hear the Executive Officer of the temple. The first respondent is directed to communicate the decision to the petitioner and the Executive Officer of the temple.

Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1.The Commissioner,
Hindu Religious & Charitable
Endowments Department,
Chennai.

2.The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Villupuram.

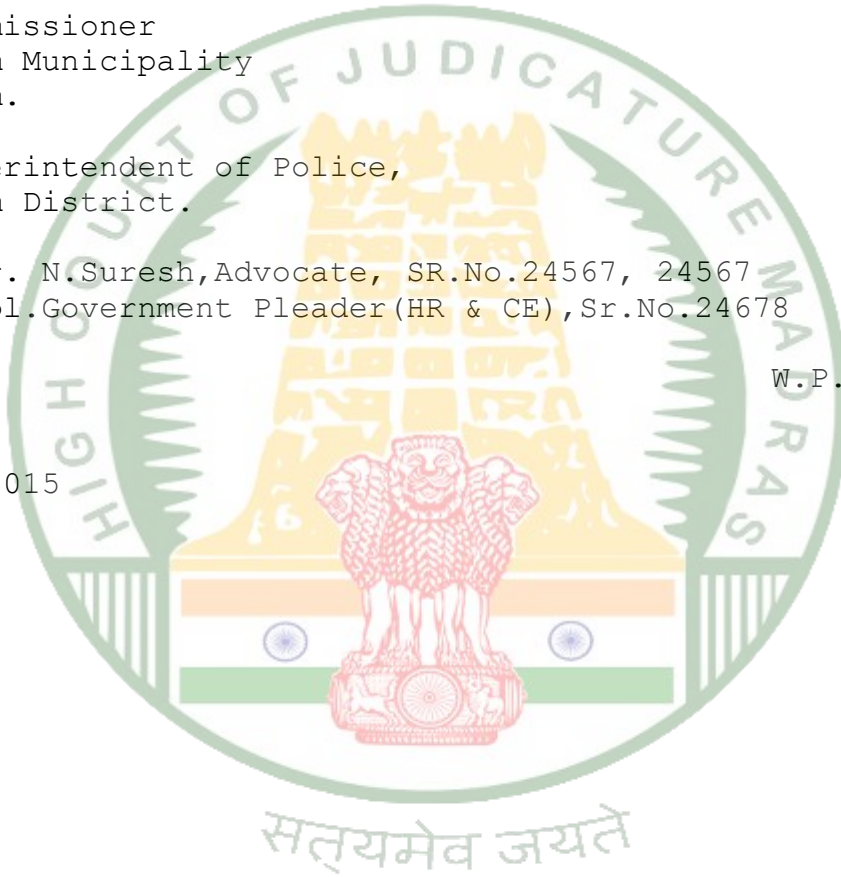
3.The Commissioner
Villupuram Municipality
Villupuram.

4.The Superintendent of Police,
Villupuram District.

1 cc to Mr. N.Suresh,Advocate, SR.No.24567, 24567
1 cc to Spl.Government Pleader(HR & CE),Sr.No.24678

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jsv(co)
pmk.21.5.2015



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