

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.23068/2016

Arulmigu Sri Ullaramman temple
by its Hereditary Trustee B.Kangeyan
No.301, Thiruvotriyur High Road,
Old Washermenpet, Chennai-21.

..Petitioner

Versus

1.The District Collector
Chennai.

2.The Tahsildar
Tondaiyarpur
Chennai-81.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to survey and measure the property of the temple in Old Survey Nos.897 and 898 and new Town Survey No.2187/1 and 2187/2 situate at Old Washermenpet, Tiruvotriyur High Road, Chennai-21, and to issue necessary sketch to the petitioner temple on survey and measurement showing the limits of the temple and its appurtenant lands.

For Petitioner : Mr.N.Suresh

For RR1 & 2 : Mr.V.S.Ramesh,
Government Advocate

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner claims that he is the Hereditary Trustee of Arulmigu Sri Ullaramman temple, situated at Thiruvotriyur High Road, Old Washermenpet, Chennai-21, and looking after the affairs of the temple in that capacity by virtue of the proceedings of the Joint Commissioner, Hindu Religious and Charitable Endowments Department, dated 06.02.2002. It is further stated by the petitioner that there is an appurtenant vacant land nearby the temple situated in Old S.Nos.897 and 898,

new Town S.No.2187/1&2 and attempts are regularly made to encroach upon the said property. The petitioner in this regard, has been approaching the respondents to survey and measure the land and also paid necessary fees on 09.02.2015 and also submitted an application dated 10.02.2015 for that purpose and since no orders have been passed, the petitioner has come up with the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.V.S.Ramesh, learned Government Advocate who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's application/representation dated 10.02.2015 on merits and in accordance with law, after putting on notice, the person/s concerned and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned.

5 The writ petition is disposed of with the above direction. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The District Collector
Chennai.

2.The Tahsildar
Tondaiyarpur
Chennai-81.

+1 cc to Mr.N.Suresh Advocate sr.38062
+1 cc to Government Pleader sr.37981

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