

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.3010 of 2016
and

W.M.P.No.2485 of 2016

Dr.Kumari Anandan

... Petitioner

-Vs-

1. The Chief Secretary to Govt.
of Tamil Nadu, (Tamil Development
and Information (Memorials) Dept.,)
Fort St. George, Chennai.

2. The District Collector,
Dharmapuri District.

3. The President,
Papparapatti Panchayat Union,
Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the order of the 1st respondent dated 30.11.2015 in proceedings Letter No.6169/Memorials/2012 and quash the same and direct the 1st respondent to construct Bharatha Matha Temple immediately in the lands purchased by freedom fighter Thiru.Subramaniya Siva, presently under the control of the 1st respondent in R.S.No.189, R.S.No.191, R.S.No.192 Avani Onnapakkavundana Halli, Village, Dharmapuri Taluk, measuring an extent of 6.27 acres.

For Petitioner : Mr.R.Gandhi, S.C.
For Mr.R.G.Narendhiran

For Respondents : Mr.S.T.S.Murthi,
Government Pleader, assisted by
Mr.V.R.Kamalanathan Addl.G.P.
& Mr.V.Shanmuga Sundar, G.A.

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The request of the petitioner to have 'Bharath Matha' temple honouring the country as a whole, keeping in mind the wishes and desires of the freedom fighter, Thiyagi Subramania Siva, whose land it was, has not met with a favourable consideration by the State Government on the specious plea that construction of temples, buildings, complexes are in policy domain and they would like to take the decision at the appropriate time.

2.We do believe that though such matters are within the policy domain, a more objective consideration could have been made by the State Government taking into consideration that this was not seeking construction of religious monument, but of national character. We can only note with regret the manner in which the issue has been approached by the State Government.

3.We close the writ petition with the hope that foreseeable future, a better thought process would prevail with the State Government. No costs. Consequently, W.M.P.No.2485 of 2016 also stands closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chief Secretary to Govt.
of Tamil Nadu, (Tamil Development
and Information (Memorials) Dept.,)
Fort St. George, Chennai.

2. The District Collector,
Dharmapuri District.

3. The President,
Papparapatti Panchayat Union,
Dharmapuri District.

+1cc to Mr.R.G.Narendhiran, Advocate, S.R.No.5209

+1cc to the Government Pleader, S.R.No.6173

W.P.No.3010 of 2016

VD(CO)

CA(15/02/2016)