

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WRIT PETITION No.4853 of 2017

G.Gurusamy

... Petitioner

vs.

1. The Commissioner,
Hindu Religious and Endowment Board,
Nungambakkam,
Chennai 600 034.
2. The Assistant Commissioner,
Chennai Region.
3. The Executive Officer,
Arulmighu Sri Pidari Amman Thirukovil,
No.5/105, Madha Koil Nagar,
7th Street, Nolambur Village,
Maduravoyal Taluk,
Thiruvallur District,
Chennai 600 095.
4. P.A. Vargheese
5. Anila George Jacob
6. Susan Jacob
7. Susan Vargheese
8. George Jacob
9. Mohan Kumar
10. Pritam Mardia

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 1st respondent to enquire and take action as against the respondents 4 to 10, based on the petitioner's representation dated 05.10.2016.

For Petitioner

:

Mr.R.Balachandran

For Respondents 1 & 2

:

Mr.M.Maharaja,
Special Government Pleader

O R D E R

The petitioner, on behalf of the devotees of Sri Pidari Amman @ Kommathamman Thirukovil in Nolambur Village, has come up with this Writ Petition seeking a direction to the 1st respondent to enquire and take action as against respondents 4 to 10, based on his representation dated 05.10.2016.

2. According to the petitioner, Sri Pidari Amman @ Kommathamman Thirukovil, owns various lands including the lands in S.No.115 in Nolambur Village, Maduravoyal Taluk, Thiruvallur District to an extent of 1 acre 13 cents. It is his case that some land grabbers including respondents 4 to 10, who are not followers of Hindu religion, attempted to grab the Temple property and with the connivance of the officials of the respondent authorities appears to have created some other forged documents for the Temple property and are attempting to sell the same. In this regard, the petitioner lodged complaints dated 14.08.2016 and 05.10.2016 to the 1st respondent. Since no action is taken on his complaints, having no other alternative, the petitioner is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. When the matter is taken up for hearing, learned Special Government Pleader appearing for the H.R. & C.E. Department brought to the notice of this Court that necessary steps have been taken by the Department in this regard and that a Legal notice dated 19.08.2016 has been issued to the Advocate representing the respondents 4 to 10, objecting to the Public Notice dated 09.08.2016 issued by the latter in the Tamil Daily "Dhinanthanthi". He further submitted that a board has been erected near the Temple that the said property is a Temple property. Also, it is his submission that the Department has taken all precautionary steps to safeguard the Temple property from being alienated.

5. Recording the said submissions of the learned Special Government Pleader, this Writ Petition is closed. It is made clear that the H.R. & C.E. Department shall take all earnest efforts in not alienating the property of the 3rd respondent/Temple. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Commissioner,
Hindu Religious and Endowment Board,
Nungambakkam,
Chennai 600 034.
2. The Assistant Commissioner,
Hindu Religious and Endowment Board,
Nungambakkam, Chennai 600 034.

+1 CC to Mr.R.Balachandran, Advocate Sr.No.12691

+1 CC to Government Pleader, High Court, Chennai Sr.No.12691

Order in
W.P.No.4853 of 2017

BR(CO)
VS(22.03.2017)

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