

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1971 of 2017

Arulmighu Kottaimariamman Thirukoil
rep.by its Hereditary Trustee, R.Ramakrishnan
Omalur Town and Taluk,
Salem District.

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 2.The District Collector,
Salem District, Salem-636 001.
- 3.The Sub Collector,
Mettur, Salem District.
- 4.The Deputy Inspector General of Police,
Salem District.
- 5.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem-636 001.
- 6.The Superintendent of Police,
Salem-636 001.
- 7.The Inspector of Police,
Omalur Police Station,
Salem District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents herein to dispose of the representation of the petitioner dated 14.01.2017, within the time frame to be fixed by this Court.

For Petitioner : Mr.G.Surya Narayanan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

In order to conduct the temple festival of the petitioner-temple in a peaceful manner, which is going to commence on 10.02.2017, this writ petition has been filed praying for issuance of a direction to the respondents to dispose of the representation made by the petitioner in this regard on 14.01.2017, within a stipulated time frame.

2.The learned counsel for the petitioner has submitted that the lands in S.Nos.143/1 and 143/3 in Omalur Village, Salem District, belongs to the petitioner-temple for more than 100 years, but however, it is shown as temple poramboke in the revenue records. There were encroachments in the said lands earlier. Thereafter, the second respondent directed the Tahsildar concerned to remove the encroachments, but no action was taken by the Tahsildar. Thereafter, on a writ petition filed by the petitioner in W.P.No.7 of 2017, this Court on 03.01.2017 directed the authorities to remove the encroachments. But the local people who had encroached certain portion of the said lands, wanted to create problems in the performance of the temple function of the petitioner-temple which is to commence on 10.02.2017. Stating so, the learned counsel for the petitioner prayed for a direction to the respondents to consider and pass orders on the representation dated 14.01.2017 made by the petitioner, in this regard.

3.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondents.

4.Without expressing any opinion as to the merits of the contentions raised by the petitioner in this writ petition, the writ petition is disposed of directing the petitioner to submit a copy of his representation dated 14.01.2017 along with a copy of this order to the third respondent, before 2.00 p.m., on 08.02.2017. On such production, the third respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after affording due opportunity to the petitioner as well as all the interested parties. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

KM

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 2.The District Collector,
Salem District, Salem-636 001.
- 3.The Sub Collector,
Mettur, Salem District.
- 4.The Deputy Inspector General of Police,
Salem District.
- 5.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem-636 001.
- 6.The Superintendent of Police,
Salem-636 001.
- 7.The Inspector of Police,
Omalur Police Station,
Salem District.
- 8.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to M/s.S.Surya Narayanan, Advocate sr.7543

W.P.No.1971 of 2017

mv(co)
ss(7/2/2017)

सत्यमेव जयते

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