



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.08.2017
CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

WEB COPY

W.P.(MD) No. 16211 of 2017

R.Sangaiah

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District, Virudhunagar.
- 2.The Revenue Divisional Officer,
Aruppukottai, Aruppukottai Taluk,
Virudhunagar District.
- 3.The Tahsildar,
Kariapatti,
Virudhunagar District.
- 4.The Village Administrative Officer,
Mudukkankulam,
Kariapatti Taluk,
Virudhunagar District.
- 5.The Sub Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 3rd respondent herein to forward the petitioner's complaint dated 05.08.2017 to the 5th respondent for taking appropriate action with regard to the recovering the looted valuable articles belongs to the "MUDUKKANKULAM VANNIMARAM SANGAIAH KOVIL" located at Mudukkankulam Village, Kariapatti Taluk, Virudhunagar District.

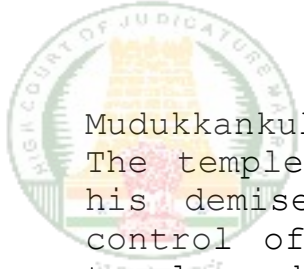
For Petitioner : Mr.A.Saravanan
For Respondents : Mr.G.Muthukannan
Government Advocate.

O R D E R

This writ petition is filed seeking for a direction to the 3rd respondent herein to forward the petitioner's complaint dated 05.08.2017 to the 5th respondent for taking appropriate action.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner would claim that he is the hereditry trustee as well as Samiyadi in Mudukkankulam Vannimaram Sangaiah Kovil at



Mudukkankulam Village, Kariapatti Taluk, Virudhunagar District. The temple was administered by the petitioner's father and after his demise, day to day administration of the temple is under control of the petitioner. In respect of administration of the temple and in respect of conducting a Mahasivarathiri celebration in the year 2015, a suit in O.S.No.30 of 2015 was filed by one branch of Pennadi Varisu. As per the undertaking affidavit filed in I.A.No.69 of 2015, after the festival, the key has to be handed over to the petitioner. But it is now with the third respondent, who is the custodian of the temple.

3. Mr.A.Saravanan, learned counsel appearing for the petitioner would submit that some of the properties of the temple were stolen away on 30.07.2017 and in this regard, the petitioner lodged a complaint to the respondents on 05.08.2017. Since no action has been taken, the present writ petition.

4. Mr.G.Muthukannan, learned Government Advocate, on instructions, would submit that the 5th respondent is now conducting enquiry based on the complaint of the petitioner, however due to non-cooperation of the petitioner as well as the opposite party, there is no substantial progress.

5. In view of the above submission, the petitioner is directed to co-operate for investigation of the complaint and if a cognizable offence is made out, the 5th respondent is directed to register a case against the accused and take appropriate action as per the decision of the Hon'ble Supreme Court in Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)].

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector, Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,

Aruppukottai, Aruppukottai Taluk, Virudhunagar District.

3.The Tahsildar, Kariapatti, Virudhunagar District.

4.The Village Administrative Officer, Mudukkankulam,

Kariapatti Taluk, Virudhunagar District.

5.The Sub Inspector of Police, A.Mukkulam Police Station, Virudhunagar District.

+2CC to Mr.T.C.S.Raja Chockalingam, Advocate, SR.No.74947

+1CC to the Special Government Pleader SR.No. 75381