

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 13.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.17251 of 2017

M.Murugan

... Petitioner

Vs.

1. The Commissioner
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Road,
Nungambakkam,
Chennai - 34.
2. The District Collector,
Madurai District Collector Office,
Madurai District.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments,
Madurai District.
4. The Executive Officer,
Sri Kallalagar Temple,
Alagarkovil,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated on 30.08.2017 that as per the order of the fourth respondent in Na.Ka.No. 2569/1980 dated 15.09.1980 to give the application for purchase the agriculture land in S.Nos.475/2, 503/5, 503/6, 503/2, 503/3, 475/1, 503/8, 503/13, 503/14 in that total extent 3 Ares 37 cents and in S.Nos.530/1, 528/1 in that total extent 2 Ares 44 Cents and in S.Nos. 528/5, 528/6, 528/6, 528/8 in 95 cents located at VadkuMundan, Mathur Village, Tamaraipatti Sub-D, Madurai Taluk, Madurai District.

For Petitioner : Mr.B.Vinoth Balan

For Respondents : Mr.S.Kumar -R1 to R3
Additional Government Pleader
: Mr.S.Manohar - R4
Standing Counsel

O R D E R

By consent on either side, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondents 1 to 3. Mr.S.Manohar, learned Standing Counsel takes notice for fourth respondent.

3. It is the case of the petitioner that he is stated to have been a cultivating tenant under the fourth respondent for more than 60 years and has been regularly paying the necessary lease revenue to the fourth respondent. The fourth respondent passed an order dated 15.09.1980, giving an option to the cultivating tenants to purchase the lands from the fourth respondent on estimation of value by the 2nd respondent. In this regard the petitioner sent several representations to the second respondent and no decision has been taken thereon by the second respondent. The petitioner straight away approached the fourth respondent and submitted several representation, the last one of which was dated 30.08.2017 with a copy to other respondents in this regard and pursuant to the inaction on the part of the respondents, the present writ petition has been filed for the relief as stated supra.

4. The learned Standing Counsel for the fourth respondent has produced a copy of proceedings in Na.Ka.No.1399/2012/Aa1 dated 19.03.2017, passed by the fourth respondent, in which it has been stated that the representation of the petitioner dated 19.01.2017 had already been rejected by the respondents.

5. In view of the above submission, the writ petition is disposed of, with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1.The Commissioner
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Road,
Chennai - 34.



2.The District Collector,
Madurai District Collector Office,
Madurai District.

3.The Assistant Commissioner
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Madurai District.

4. The Executive Officer,
Sri Kallalagar Temple,
Alagarkovil,
Madurai District.

+1 cc to Mr.S.Vinoth Balan , Advocate in SR.No. 78420
+1 cc to The Special Government Pleader in SR.No.78667

rm

AE/MR KKR/SAR2/25.09.2017/3P/7C

W.P(MD)No.17251 of 2017

13.09.2017