



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD)No.23220 of 2017

Easwaran

: Petitioner

Vs.

- 1.The Principal Secretary,
Hindu Religious & Charitable Endowments,
Fort St.George, Chennai.
(1st respondent given up as per the endorsement
made by the learned counsel for the petitioner)
- 2.The Commissioner,
Hindu Religious & Charitable Endowments,
Nungambakkam, Chennai.
- 3.The District Collector,
Virudhunagar District,
Virudhunagar.
- 4.The Joint Commissioner,
Hindu Religious & Charitable Endowments,
Sivagangai District,
Sivagangai.
- 5.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
- 6.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.
- 7.The Executive Officer,
Arul Migu Nintha Narayana Perumal Temple,
Thiruthangal,
Sivakasi Taluk,
Virudhunagar District.
- 8.The Sub Registrar,
Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/> Sub Registrar Office,

Virudhunagar District.

: Respondents



PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.10.2017 within the time stipulated by this Court.

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For Petitioner : Mr.M.R.Sreenivasan
 For R2 to R6 & R8 : Mr.T.S.Mohamed Mohideen
 Additional Government Pleader
 For R7 : Mr.P.Mahendran
 For R1 : Given up

ORDER

[Order of the Court was made by R.SUBBIAH, J]

This writ petition has been filed as public interest litigation to direct the respondents to consider and dispose of the petitioner's representation dated 23.10.2017 within the time stipulated by this Court.

2. Heard Mr.M.R.Sreenivasan, the learned counsel appearing for the petitioner, Mr.T.S.Mohamed Mohideen, the learned Additional Government Pleader appearing for the respondents 2 to 6 & 8 and Mr.P.Mahendran, learned counsel appearing for the seventh respondent.

3. It is the case of the petitioner that in his village, namely, Thiruthangal there is a famous Temple viz., Arul Migu Ninta Narayana Perumal Temple and the said temple owned several properties in Narayanapuram Village, Sivakasi Taluk, Virudhunagar District in Survey Nos.249/1, 250/4, 250/5, 253/1, 252/1, 273, 348, 361/2, 259/2, 259/3, 251/2, 260, 269/1, 269/2, 268/1, 268/3, 251/3, 269/3, 263, 251, 77/7 and in Survey Nos.12/3, 12/4, 14/3, 15/1 in Vaadiyur Village and in Survey Nos.1796/A1, 1796/B2 in Keel Thiruthangal Village and in Survey Nos.866/13, 866/33 in Pudhukkottai Village and in Survey Nos.589/3, 593, 592, 594, 595, 596, 597/1, 608, 586/2, 605/1, 631/4, 640/2, 589/1, 577/2, 577/1, 608, 586/2, 605/1, 631/4, 640/2, 589/1, 577/2, 577/1 in Thiruthangal Village and in Survey Nos.121/1, 519/1, 538, 549/1, 730/2, 746/2, 747/2, 497/4 in Aanaikkottam Village. It is further stated that in Survey No.273 in Narayanapuram Village to an extent of 9.90 acres, in Re-Survey No.348 measuring an extent of 3.84 acres, in Re-Survey No.361/2 to an extent of 3.62 acres, in Re Survey No.352/1 an extent of 3.33 acres, in Re-Survey No.359/2 an extent of 1.94 acres, in Re Survey No.259/3 an extent of 1.44 acres were given as Archagar Inam for doing service and in Re-Survey No.268/3 to an extent of 2.76 acres, in Re-Survey No.260 to an extent of 1.22 acres, in Re-Survey No.77/7 to an extent of 0.28 acres, were given as Sthalathar Inam.



4. The learned counsel for the petitioner submitted that the said Inam properties are non transferable and the income derived from the said Inam Properties has to be spent for the Temple Welfare and Temple Services. However, the Inam properties were converted into plots and sold to third parties and some of the properties were leased out for more than 5 years, which is in the violation of the provision of the Hindu Religious and Charitable Endowment Act. In this regard, the petitioner made a representation to the respondents on 23.10.2017. However, the said representation has not been considered so far. Therefore, he is before this Court with this writ petition.

5. In view of the above, this Court without going into the merits or the claim made by the petitioner, directs the petitioner to give a copy of the representation dated 23.10.2017 to the third and fourth respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the third and fourth respondents are directed to consider the same and pass orders on merits and in accordance with law, within a period of six weeks thereafter.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner, Hindu Religious & Charitable Endowments, Nungambakkam, Chennai.
2. The District Collector, Virudhunagar District, Virudhunagar.
3. The Joint Commissioner, Hindu Religious & Charitable Endowments, Sivagangai District, Sivagangai.
4. The Revenue Divisional Officer, Sivakasi, Virudhunagar District.
5. The Tahsildar, Sivakasi Taluk, Virudhunagar District.
6. The Executive Officer, Arul Migu Nintha Narayana Perumal Temple, Thiruthangal, Sivakasi Taluk, Virudhunagar District.
7. The Sub Registrar, Thiruthangal Sub Registrar Office, Virudhunagar District.

+1CC to Mr.M.R.Sreenivasan, Advocate, SR.No. 93663

+1CC to Mr.P.Mahendran, Advocate, SR.No. 93498

+1CC to the Special Government Pleader SR.No.93744

Order made in

W.P.(MD)No.23220 of 2017

Dated: 18.12.2017