

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.6138 of 2018

S.Sudhakaran

... Petitioner

versus

1. The Superintending Archaeologist
Archaeological Survey of India,
Fort St.George, Chennai Circle,
Chennai - 600 009.
2. The Junior Conservation Assistant
Archaeological Survey of India,
T.N.H.B. Commercial Complex Building,
Second Floor, Rajaram Nagar,
Salem - 636 007.
3. The Executive Officer,
Hindu religious and Charitable Endowment
Department, Sri Narsimha Swamy/
Sri Ranganatha Swamy Temples,
Namakkal. ...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 and 2 to grant permission for establishment of temporary shops/ exhibition at Kulakkarai Thidal in Sri Narasimha Swamy/ Sri Ranganatha Swamy Temples, Namakkal, based on the petitioner's application dated 09.12.2017 on the eve of Panguni Uthira Thiruvizha for the period from 19.03.2018 to 19.07.2018 forthwith.

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.G.Karthikeyan
Assistant Solicitor General
for R1 & R2

Mr.M.Maharaja,
Special Government Pleader
for R3.

O R D E R

The petitioner seeks for a Mandamus to direct the respondents 1 and 2 to grant permission for establishment of temporary shops/ exhibition at Kulakkarai Thidal in Sri Narasimha Swamy/ Sri Ranganatha Swamy Temples, Namakkal, based on the petitioner's application dated 09.12.2017 on the eve of Panguni Uthira Thiruvizha for the period from 19.03.2018 to 19.07.2018.

2. After notice, the matter is listed today for further hearing.

3. Learned Assistant Solicitor General appearing for the 1st and 2nd respondents submitted before this Court that already Archaeological Survey of India, Chennai Circle, through communication dated 14.03.2018 informed that erecting temporary shops in the vacant land at Sri Narasimha Swamy/ Sri Ranganatha Swamy Temples, Namakkal, cannot be considered.

4. When such being the stand taken by the respondents 1 and 2, the petitioner, as a matter of right cannot seek for permission to establish the temporary shops for exhibition at the subject matter site, more particularly, when it is an admitted fact that the site belongs to the 3rd respondent temple and the Archaeological Survey of India is objecting for establishing the shops for exhibition at the disputed site. Therefore, I find no ground to entertain the writ petition any further. Accordingly, the writ petition is dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi

To

1.1. The Superintending Archaeologist
Archaeological Survey of India,
Fort St. George,
Chennai Circle,
Chennai - 600 009.

2. The Junior Conservation Assistant
Archaeological Survey of India,
T.N.H.B. Commercial Complex Building,
Second Floor,
Rajaram Nagar,
Salem - 636 007.
3. The Executive Officer,
Hindu religious and Charitable Endowment
Department,
Sri Narsimha Swamy/
Sri Ranganatha Swamy Temples,
Namakkal.

+1 CC to Mr.G.Karthikeyan Advocate Sr.No.22177

+1 CC to Mr.C.Prabakaran Advocate Sr.No.22139

+1 CC to Government Pleader, High Court, Chennai Sr.No.22483

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SVI (CO)
KP(06/04/2018)



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