

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.22567 of 2018 and
W.M.P.No.26423 of 2018

Mrs.Vanitha R.Manickavasagam,
W/o.Mr.Ramani Manickavasagam,
Hereditary Trustee,
A/m.Sri Varadaraja Perumal &
Agastheeswaraswamy Devasthanam,
A/m.Suriya Pillaiyar Koil and A/m.Sri Hanuman Temple,
231, Kilpauk Garden, Kilpauk,
Chennai 600 010. Petitioner

Vs

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Commissioner,
Hindu Religious & Charitable Endowment Department,
Nungambakkam, Chennai 600 034.
- 3.The Inspector,
O/o.Inspector of HR&CE Department,
Hindu Religious Charitable & Endowment Department,
Madhurantakam-2, Kancheepuram District.
- 4.The Tahsildar,
Cheyiur Taluk,
Kancheepuram District.
- 5.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 6.The Inspector of Police, (L&O),
Chunampet Police Station,
Cheyiur Taluk, Kancheepuram District.

7. Venkatesan

8.Rajendran

9.Varadhan

10.Ramalingam

11.Manivannan

12.Duraibabu

13.Siva

14.Anbalagan

15. Kala

16.Thirumal Marugan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the fourth respondent Tahsildar to conduct Survey and to fix boundary stones immediately based on the petitioner's representation dated 12.02.2018 concerning the agricultural lands covered under Patta Nos.2,4,6 & 7 situated at Villipakkam Village, Kottaikadu Village and Chunampet Village, Cheyiur Taluk, Kancheepuram District, with the aid and assistance of respondents 2,3,5 & 6 in order to fence the lands which belong to the Temples (i) Arulmigu Sri Varadaraja Perumal (ii) Agastheeswaraswamy Devasthanam (iii) Arulmigu Suriya Pillaiyar Koil and (iv) Arulmigu Sri Hanuman Temple, Chunampet.

For Petitioner : Mr.S.L.Sundarsanam

For Respondents : Mr.V.Jayaprakash Narayanan,
Spl. Govt. Pleader for R1, R4, R5, and R6
: Mr.M.Maharaja,
Spl.Govt.Pleader for R2 & R3

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has come up with this writ petition seeking a direction to the fourth respondent Tahsildar to conduct Survey and to fix boundary stones immediately based on the petitioner's representation dated 12.02.2018 concerning the agricultural lands covered under Patta Nos.2,4,6 & 7 situated at Villipakkam Village, Kottaikadu Village and Chunampet Village, Cheyiur Taluk, Kancheepuram District, with the aid and assistance of respondents 2,3,5 & 6 in order to fence the lands which belong to the Temples (i) Arulmigu Sri Varadaraja Perumal (ii) Agastheeswaraswamy Devasthanam (iii) Arulmigu Suriya

Pillaiyar Koil and (iv) Arulmigu Sri Hanuman Temple, Chunampet.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation claiming the same relief as mentioned above, but, the said representation is yet to be disposed of by the fourth respondent. However, the learned counsel submitted that it would suffice, if the representation dated 12.02.2018 made by the petitioner is directed to be considered by the fourth respondent, on merits.

4. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader taking notice for the respondents, submitted that the fourth respondent may be directed to consider the petitioner's representation dated 12.02.2018 and pass orders in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in this writ petition, this Court directs the fourth respondent to look into the representation of the petitioner, conduct enquiry, afford due opportunity of personal hearing to the petitioner, respondent Nos.7 to 16 as well as any of the interested parties and thereafter, pass appropriate orders on merits. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Commissioner,
Hindu Religious & Charitable Endowment Department,
Nungambakkam, Chennai 600 034.
- 3.The Inspector,
O/o.Inspector of HR&CE Department,
Hindu Religious Charitable & Endowment Department,
Madhurantakam-2,
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4.The Tahsildar,
Cheyiur Taluk,
Kancheepuram District.

5.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

6.The Inspector of Police, (L&O),
Chunampet Police Station,
Cheyiur Taluk, Kancheepuram District.

+3cc to Mr.S.L.Sudarsanam, Advocate, S.R.No.59982

+1cc to the Spl Government Pleader, S.R.No.60661 & 60589

W.P.No.22567 of 2018

GSP(12/09/2018)



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