

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2018

CORAM :

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.12794 of 2018

A.Radhakrishnan

... Petitioner

-Vs-

1.The District Collector,
Villupuram District,
Villupuram.

2.The Inspector General of Police,
North Zone,
Chennai.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Villupuram.

4.R.Ayyappan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action on the basis of petitioner's representation dated 11.05.2018 and thereby secure and safeguard the property belonging to the fourth respondent temple A/m Sundaramahalingeswarar Thirukoil situated at Kiliyur Village, Ulundurpet Taluk, Villupuram District.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.V.Anandhamurthy, AGP for R1

: Mr.M.Maharaja, AGP for R3

O R D E R

Heard Mr.R.Marudhachalamurthy, learned counsel for the petitioner and Mr.V.Anandhamurthy, learned Government Advocate appearing for the first respondent and Mr.M.Maharaja, learned Additional Government Pleader appearing for the third respondent.

2. The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action on the basis of petitioner's representation dated

11.05.2018 and thereby secure and safeguard the property belonging to the fourth respondent temple A/m Sundaramahalingeswarar Thirukoil situated at Kiliyur Village, Ulundurpet Taluk, Villupuram District."

3. The case of the petitioner is as follows:-

The petitioner was a devotee of Arulmigu Sundaramahalingeswarar Thirukoil situated at Kiliyur Village, Ulundurpet Taluk, Villupuram District. He would submit that on 09.05.2018, the Inspector of HR & CE Department along with Village Administrative Officer, Surveyor, Revenue Inspector, Deputy Block Development Officer and Inspector of Police visited the said temple and they have given a report regarding the said inspection.

4. In the above said inspection report, various problems have been discussed and there were lot of discrepancies found in the details of the property and the HR & CE Officer instead of acting in favour of the said temple, acting against the temple's interest and causing loss. As a devotee, the petitioner would submit that he has every right to safeguard the temple and its properties. Therefore, he made a representation on 11.05.2018 to the respondents through E-mail and also through Post.

5. The HR & CE Commissioner has already issued an order through proceedings in Na.Ka.No.25501/2008/M-3 dated 15.05.2018 and thereby to fence the temple properties which comes under the control of HR & CE Department. Even though the said temple comes under the control of the HR & CE Department, till date, no fencing has been done and the defects and discrepancies have not been removed. The petitioner's main interest is only to protect the temple property and the maintenance of the temple in doing poojas as per the Hindu Rites. Therefore, he seeks for a direction to the respondents to consider the representation said to have been made by him.

6. The learned Additional Government Pleader appearing for the third respondent would submit that they will initiate necessary action as per the existing law to safeguard the temple property.

7. In the above circumstances, the respondents are directed to consider the representation of the petitioner dated 11.05.2008 and to remove all the defects within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

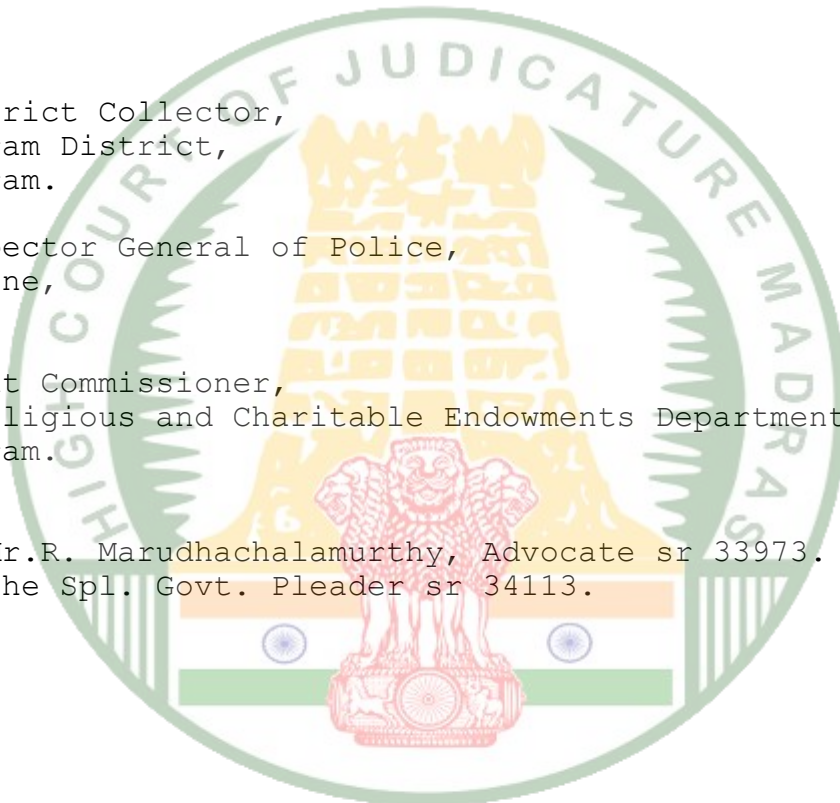
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Sub-Assistant Registrar

gsk/sgl
To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Inspector General of Police,
North Zone,
Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Villupuram.

+1 CC to Mr.R. Marudhachalamurthy, Advocate sr 33973.
+1 CC to The Spl. Govt. Pleader sr 34113.



सत्यमेव जयते

W.P.No.12794 of 2018

SP(30/05/2018)

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