

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 31.01.2018
CORAM
THE HONOURABLE Mr.JUSTICE V.PARTHIBAN
W.P.No.13071 of 2010

N.Thulasidas

... Petitioner

Vs

The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Salem. ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the respondent to bring the lease of the properties of the Temple Arulmigu Kamanatheeswarar Swamy Temple, situated in Survey No.77/15A, to the extent of 0.64 acres at Aaragalur Village, Attur Taluk, Salem District for public auction.

For Petitioner : Mr.V.Elangovan for
Mr.S.Doraisamy
For Respondent : Mr.M.Maharaja,
Special Government Pleader

O R D E R

Heard Mr.V.Elangovan, learned counsel for the petitioner and Mr.M.Maharaja, learned Special Government Pleader appearing for the respondent.

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

"To issue a writ of Mandamus, to direct the respondent to bring the lease of the properties of the Temple Arulmigu Kamanatheeswarar Swamy Temple, situated in Survey No.77/15A, to the extent of 0.64 acres at Aaragalur Village, Attur Taluk, Salem District for public auction."

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

According to the petitioner, he was an ardent devotee of Arulmigu Kamanatheeswarar Swamy Temple, Aaragalur. The temple owns a large extent of land. According to him, several private persons have been in occupation of the land without proper lease and no public auction has been held for leasing the lands and the building located thereof. The petitioner therefore represented to the respondent, under whose control, the temple is functioning as such.

4. The representation made to the respondent with the request that a proper auction may be made in respect of the lands owned by the temple, so that, the shops can be leased out to the proper persons. The representation said to have

made on 06.05.2010 to the respondent, has not been disposed of, as on date. Therefore, the petitioner is before this Court, seeking issue of Writ of Mandamus.

5. Although the relief claimed in the writ petition is for a direction to the respondent to bring properties of the temple for public auction, during the course of the argument, learned counsel for the petitioner would submit that he would be satisfied if a representation as aforementioned, is disposed of by the authority concerned, within a stipulated time by this Court.

6. Upon notice, learned Special Government Pleader appearing for the respondent, entered appearance. The learned Special Government Pleader cannot have any objection for giving such direction to the respondent.

7. In the above circumstances, this Court directs the respondent to dispose of the representation said to have been made by the petitioner on 06.05.2010, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is also open to the petitioner to make a fresh representation in this connection.

8. With the above direction, the writ petition is disposed

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gsk

To

The Joint Commissioner, सतयमेव जयते
Hindu Religious and Charitable Endowment Department,
Salem.

+1cc to Mr.S.Doraisamy, Advocate SR.No.7126

+1cc to Government Pleader SR.No.7696

sm:19.2.2018

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