

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14/3/2019

C O R A M

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

Writ Petition No.1612 of 2019

J. Mohanraj
General Secretary
Jebamani Janatha Party
No.33, 2nd Street
East Abiramapuram
Mylapore
Chennai 4.

... Petitioner-in-Person

Vs

1. The Collector
Chennai City
Rajaji Salai
Chenna 600 001.

2. The Commissioner
Hindu Religious Endowment Board
Nungambakkam High Road
Chennai 34.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider the representations of the petitioner dated 13/5/2018 and 22/10/2018, regarding the restoration of the Mettukulam - The Holy Tank of Virugambakkam Sundaravaradharaja Perumal temple.

For petitioner ... Mr.J.Mohanraj
Party-in-Person

For respondents ... Mr.E.Manoharan
Additional Government Pleader
for R.1.

Mr.M.Maharaja
Special Government Pleader
(HR & CE)
for R.2.

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O R D E R

(Order of the Court was delivered by S.Manikumar, J)

Party-in-Person has filed the instant writ petition, to direct the respondents, to consider the representations of the petitioner, dated 13/5/2018 and 22/10/2018, regarding the restoration of Mettukulam - The Holy Tank of Virugambakkam Sundaravaradharaja Perumal temple.

2. Mr.E.Manoharan, learned Additional Government Pleader submitted that in the enquiry conducted by the District Collector, for cancellation of patta, now an Advocate, on behalf of those who have already received notices, has written a letter, stating that he would represent them and that therefore, the District Collector has to postpone the enquiry. He further submitted that if ten days time is granted, the District Collector, would complete the enquiry.

3. When an enquiry is being conducted, as to whether patta issued earlier should be cancelled or not, issuance of mandamus, for restoration cannot be done. However, representations of the writ petitioner, stated supra, can always be addressed to the District Collector, pending disposal of the enquiry into cancellation of patta or after the outcome of the enquiry. Mr.J.Mohanraj, Party-in-person, present in Court is also agreeable for such an order to be passed. Thus, with the consent of all parties, writ petition is disposed of, directing the respondents, to complete the enquiry, within a period of three weeks, from the date of receipt of a copy of this order. Respondents are further directed to consider and dispose of the representations, dated 13/5/2018 and 22/10/2018, of the petitioner, within a period of two weeks, thereafter. No costs.

Sd/-

Assistant Registrar(CS vi)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

mvs.

To

1. The Collector
Chennai City
Rajaji Salai, Chennai 600 001.
2. The Commissioner
Hindu Religious Endowment Board
Nungambakkam High Road, Chennai 34.

+1cc to Mr.Mr.J.Mohanraj , SR.No. 24855

+1 cc to Government Pleader SR.NO. 25419,25660

W.P.No.1612 of 2019

br (CO)

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A.SR(22/04/2019)