

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.29290/2019

&

WMP.No.29087/2019

S.Nagarajan

Petitioner

Versus

1.State rep.by its
The District Collector
Kancheepuram District
Kancheepuram.

2.The Superintending Archaeologist
Archaeological Survey of India
Chennai Sub Circle, 13th Floor
Fort St. George, Chennai 600 009.

3.The Commissioner
Hindu Religious & Charitable Endowment
Department, No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai 600 034.

4.The Joint Commissioner
Hindu Religious & Charitable Endowment
Department, Vellore 632 009.

5.The Executive Officer
Hindu Religious & Charitable Endowment
Department, A/M Nandeeswaram Temple
Nandivaram-Guduvancherry,
Kancheepuram District.

Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the petitioner's representation given by the petitioner dated 19.08.2019.

For Petitioner : Mr.T.Muthukrishnan

For RR 3 and 4 : Mr.M.Maharaja, Spl.GP
[HR&CE]

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

- (1)The petitioner claims to be an ardent devotee of Arulmighu Nandeeswaram Temple, Nandivaram, Guduvancherry, Chengalpattu Taluk, Kancheepuram District and according to him, the temple is more than 100 years old and on an earlier occasion, an attempt was made to destroy the 'Nandavanam' of the temple and the petitioner, in this regard, has filed Application No.174 of 2016 [South Zone] before the National Green Tribunal, Southern Zone, Chennai, and it was disposed of on 01.09.2016, by directing the HR&CE Department and the applicant therein, to take necessary steps to plant more number of trees in the Nandavanam. The main grievance expressed by the petitioner is that without following the guidelines stipulated by the 4th respondent, in its proceedings dated 11.01.2019 in O.Mu.No.11857/2018/A2, attempts are being made to renovate and consecrate the temple. The petitioner, in this regard, has also submitted a representation dated 19.08.2019 to respondents 1 to 3 and despite receipt and acknowledgement, no steps have been taken to alleviate his grievance and therefore, the petitioner is constrained to approach this Court by filing this writ petition, styled as a Public Interest Litigation.
- (2)Heard the submissions of the learned counsel for the petitioner and Mr.M.Maharaja, learned Special Government Pleader [HR&CE] who accepts notice on behalf of respondents 3 and 4 and on instructions, he would submit that necessary clearances as per the guidelines, have been obtained and the petitioner, without verifying the same, has approached this Court and would further add that the representation submitted by the petitioner, would be properly responded.
- (3)The Court, on the said submissions, also heard the submissions of the learned counsel for the petitioner.
- (4)Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, especially, the submissions made by the learned Special Government Pleader [HR&CE] on instructions, directs the 4th respondent to consider and dispose of the petitioner's representation dated 19.08.2019 on merits and in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

(5)The writ petition stands disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The District Collector
Kancheepuram District
Kancheepuram.
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Department, A/M Nandeeswaram Temple
Nandivaram-Guduvancherry,
Kancheepuram District.

+1cc to the Government Pleader SR.86595

WP.No.29290/2019

RSI (CO)
CB(28/11/2019)

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