



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.25760 of 2019

and

W.M.P(MD)No.22302 of 2019

Athikesava Bhaktharkal Seva Trust,
(Registration No.655/2002),
Rep. by its Secretary,
Aanayadi,
Veyanoor,
Kanyakumari District - 629 251.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Revenue,
Fort St. George,
Chennai - 600 009.
2. The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments
Department (HR & CE),
119 Uthamar Gandhi Road,
Nungambakkam,
Chennai - 600 034.
- 4.The District Collector,
Kanyakumari District,
Nagercoil - 629 001.
- 5.The District Registrar,
Kanyakumari District at Nagercoil,
Kanyakumari District - 629 001.
- 6.The District Revenue Officer,
Kanyakumari District at Nagercoil,
Kanyakumari District - 629 001.



7.The Joint commissioner/Executive Officer,
Kanyakumari Devasom Board,
Kanyakumari District Temples,
Suchindram,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to maintain proper land documents with regard to 490 Temples in Kanyakumari District under the control of third and seventh respondents and to translate the relevant revenue Malayalam Documents into Tamil with experts duly mentioning the classification of land with old-survey numbers by considering the petitioner's representations dated 24.06.2015, 15.03.2017 and 01.11.2018.

For Petitioner	: Mr.T.Cibi Chakraborty
For RR 1 to 6	: Mr.VR.Shanmuganathan, Special Government Pleader.
For R - 7	: Mr.K.Sathiya Singh

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner / Trust has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus, directing the respondents to maintain proper land documents with regard to 490 Temples in Kanyakumari District under the control of third and seventh respondents and to translate the relevant revenue Malayalam Documents into Tamil with experts duly mentioning the classification of land with old-survey numbers by considering the petitioner's representations dated 24.06.2015, 15.03.2017 and 01.11.2018.

2.Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice for the respondents 1 to 6 and Mr.K.Sathiya Singh, learned counsel takes notice for the seventh respondent.

3.The learned counsel appearing for the petitioner submitted that inspite of the fact that the petitioner's Trust had given a representation as early as on 24.06.2015, respondents 3 and 7 have not considered the same yet.

4.It is also brought to the notice of this Court that the petitioner / Trust had filed applications under the Right to Information Act before the District Collector, Kanyakumari District, Nagercoil and District Judge, Kanyakumari District at Nagercoil and that they have also replied for the said applications.



5.Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1 to 6 submitted that the proper authority to consider the petitioner's representation is the third respondent, namely, the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai.

6.In view of the submissions made by the learned counsel on either side, we are of the view that it would be suffice to direct the third respondent to consider the petitioner's representation dated 24.06.2015 and pass orders in accordance with law.

7.For the reasons stated above, we direct the third respondent to consider the petitioner's representation dated 24.06.2015 and pass orders on merits and in accordance with law as expeditiously as possible.

8.With these observations, this Writ Petition is disposed of. No costs. consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Principal Secretary,
Rep. by the State of Tamil Nadu,
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7.The Joint commissioner/Executive Officer,
Kanyakumari Devasom Board,
Kanyakumari District Temples,
Suchindram,
Kanyakumari District.

+1 CC to SPL GP (SR-103285[F] dated 04/12/2019)

+1 CC to Mr.K.SATHIYASINGH, Advocate (SR-103321[F]dated
04/12/2019)

+1 CC to Mr.T.CIBI CHAKRABORTHY, Advocate (SR-103229[F] dated
04/12/2019)

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