



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P.(MD).No.10208 of 2017

B.Subbukkannu

... Petitioner

Vs.

1.The Commissioner,
HR & CE Department,
Chennai.

2.The Joint Commissioner,
HR & CE Department,
Thanjavur.

3.The Assistant Commissioner,
HR&CE Department,
Thanjavur.

4.The Executive Officer (in-charge)
Arulmighu Sri Mariamman @
Kalyanasundari Amman Temple &
Arulmighu Sri Ayyanar Thirukovil,
Semballur Village,
Pattukottai Taluk, Thanajvur District.

..Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing all the respondents to take necessary action to receive the lands belonging to Arulmighu Sri Mariamman @ Kalyanasundari Amman Temple and Arulmighu Sri Ayyanar Thirukovil (public temples), Semballur Village, Pattukottai Taluk, Thanjavur District under the control of the 4th respondent in accordance with the petitioner's representation dated 07.11.2014.

For Petitioner : Mr.N.Dilipkumar

For R1 to R3 : Mr.A.K.Baskara Pandian
Special Government Pleader

For R4 : Mr.V.Chandrasekar



O R D E R

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.N.Dilipkumar, learned counsel appearing for the petitioner, Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing on behalf of the Respondent Nos.1 to 3 and Mr.V.Chandrasekar, learned counsel appearing for the fourth respondent.

2.The petitioner by way of this public interest litigation seeks for a direction upon the official respondents to recover and retrieve the land belonging to the fourth respondent Temple.

3.The fourth respondent has stated that he would verify the records and take necessary action and if it is found that any Temple property has been encroached or usurped, then immediate action will be taken. Though such a stand was taken by the fourth respondent, till date no action appears to have been initiated.

4.Therefore, we direct the fourth respondent to consider the averments set out by the petitioner in the representation dated 07.11.2017 and examine the records, conduct site inspection and take action, if any of the temple properties are encroached. In the event, the fourth respondent requires the police protection, he may request the concerned police authorities to provide adequate protection. We further direct the second respondent, the Joint Commissioner, HR & CE Department, to monitor the progress of the work done by the fourth respondent. The said exercise shall be complied with within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner,
HR & CE Department,
Chennai.



2.The Joint Commissioner,
HR & CE Department,
Thanjavur.

3.The Assistant Commissioner,
HR&CE Department,
Thanjavur.

4.The Executive Officer (in-charge)
Arulmighu Sri Mariamman @
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Semballur Village,
Pattukottai Taluk, Thanajvur District.

+1 CC to M/s.K.KRISHNAN, Advocate (SR-86386[F] dated 12/09/2019)

+1 CC to M/s.GP (SR-86582[F] dated 13/09/2019)

+1 CC to M/s.V.CHANDRASEKAR, Advocate (SR-86777[F] dated 16/09/2019)

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12.09.2019

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