



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.13377 of 2018

R.Dhanasekar

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to assign the land in T.S.No.811/1 in Ward No.10, Block No.19, Madurai Town, for constructing the Arihari Amman Temple by disposing the petitioner's representation dated 13.05.2018.

For Petitioner

: Mr.R.Suriya Narayanan

For Respondents

: Mr.M.Muniyasamy

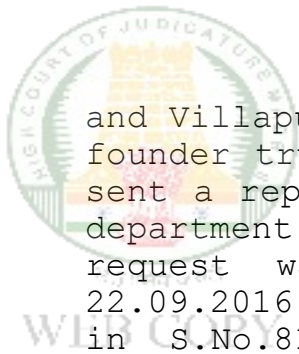
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the respondents to assign the land in T.S.No.811/1 in Ward No.10, Block No.19, Madurai Town, for constructing the Arihari Amman Temple by disposing the petitioner's representation dated 13.05.2018.

2. Heard the learned counsel for the petitioner as well as Mr.M.Muniyasamy, learned Additional Government Pleader appearing for the respondents.

3. According to the petitioner, the land in T.S.No.811/1, 2 and 3 in Ward No.10, Block No.19, Madurai Town(Old S.No.424) originally an Inam land, gifted to Arihari Aman Kovil, a denomination temple belongs to the Periyaveettu Parambarai of the Parayar Community people living at Tallakulam, Madhichiam, Palanganatham, Arapalayam



and Villapuram for its welfare and at present, the petitioner is the founder trustee of the said temple. The petitioner community people sent a representation to the first respondent to direct the HR&CE department to construct a temple in the said land, but the said request was rejected. Hence, a detailed representation dated 22.09.2016 was sent to the first respondent to assign the said land in S.No.811/1 in the name of the temple. The same also has not been considered by the respondents and hence the petitioner sent another representation dated 13.05.2018 and even thereafter, the respondents did not consider the representation. In such circumstances, the petitioner has approached this Court.

4.Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 13.05.2018 is disposed of by the first respondent at the earliest after providing adequate opportunity to the petitioner.

5. Learned Additional Government Pleader appearing for the respondents would submit that the first respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 13.05.2018 submitted by the petitioner and to pass appropriate orders in accordance with law, as early as possible, if there is no legal impediment to do so.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Madurai District.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

+1 CC to the SPL GP (SR-23112[F] dated 27/11/2020)

W.P (MD) No.13377 of 2018
26.11.2020

MJ(CO)
CS(16.12.2020) 3P 4C