

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.4068/2021

S.Mariappan

...

Petitioner

Versus

The Director,
Hindu Religious Institution,
Mont Dorser Street
Puducherry.

... Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to consider petitioner's representation dated 22.12.2020 and to remove the encroachments from the lands belonging to Sri Varadharaja Perumal and Sri Agastheeswarar Swamy Devasthanam, measuring about 01.55.50 Hectares situated in S.No.202/3 in Varichikudy Village, Kottucherry Commune, Karaikal District, Puducherry State.

For Petitioner : Mr.G.Karthikeyan

For Respondent : Mr.D.Ravichander
Additional Government Pleader
[Puducherry]

WEB COPY

ORDER

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

(1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.

- (2) Mr. D. Ravichander, learned Additional Government Pleader [Puducherry] accepts notice on behalf of the respondent.
- (3) The petitioner claims to be a member of Hindu Munnani and also an ardent devotee of the presiding Deities of Sri Varadharaja Perumal and Sri Agastheeswarar Swamy Devasthanam. According to the petitioner, the temples have been donated with several 100 acres of lands by great people before few Centuries and on account of mismanagement and want of good administration, the vast extents of lands belonging to the said temples have been alienated and what remains is only few acres of wet lands.
- (4) The learned counsel for the petitioner would submit that when the petitioner made an occasion to visit the said lands, to his shock and surprise he found a few huts came into being on the temple lands in S.No.202/3 measuring about 01.55.50 Hectares and on a thorough enquiry, it came to his knowledge that some illegal encroachments have been caused upon the lands belonging to the temples. The petitioner, in this regard, has also submitted a representation dated 22.12.2020 to Her Excellency Lieutenant Governor, with a copy marked to the respondent and though it was acknowledged on 28.12.2020, so far no action whatsoever, has been taken and therefore, the petitioner came forward to file the present writ petition.
- (5) Mr. D. Ravichander, learned Additional Government Pleader [Puducherry] appearing for the respondent would submit that the representation submitted by the petitioner in this regard, will be considered and given a disposal in accordance with law as expeditiously as possible.
- (6) This Court has considered the rival submissions and also perused the materials placed before it.
- (7) Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the respondent to consider and dispose of the representation dated 22.12.2020 on merits and in accordance with law, by also adhering to the principles of natural justice, by putting on notice, the concerned person/s and complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order / uploading the order in the website and communicate the decision taken, to the petitioner as well as to the person/s concerned.

(8)The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

AP

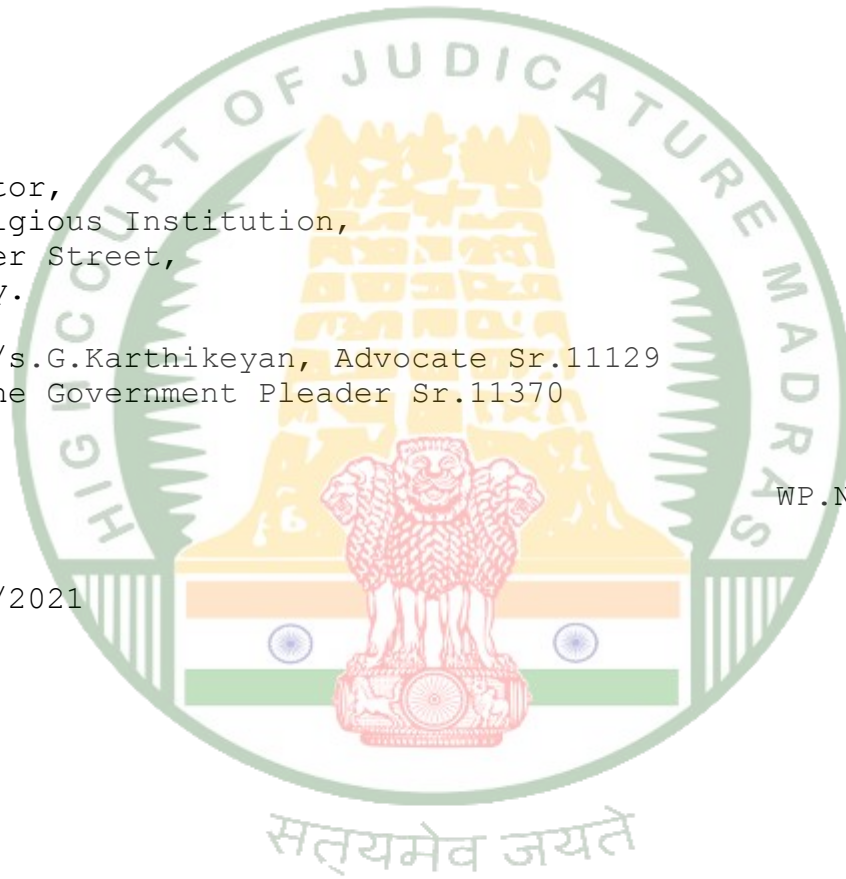
To

The Director,
Hindu Religious Institution,
Mont Dorser Street,
Puducherry.

+1cc to M/s.G.Karthikeyan, Advocate Sr.11129
+1cc to the Government Pleader Sr.11370

WP.No.4068/2021

pmk[co]
srg 17/03/2021



WEB COPY