

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.5438 of 2021

E.Shanmuga Sundaram

...

petitioner

Vs

- 1 The Director Rural Development
and Panchayat, Chennai
- 2 The District Collector
Tiruvallur District
- 3 The Assistant Director Panchayat
Tiruvallur Collectorate Tiruvallur
- 4 The Tahsildar
Tiruvallur District
- 5 The Executive Engineer
Rural Development Tiruvallur District
- 6 The Assistant Executive Engineer
Rural Development Tiruvallur District
- 7 The Block Development officer
Village Panchayat Kadambathur
- 8 The Village Panchayat President
Narasingapuram village
Tiruvallur District

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the directing the 2nd Respondent to Consider Petitioners Representation dated 8.2.2021 and consequently direct the 4th Respondent from converting the Classification of Land in revenue Records in Respect of S.NO 129/1 AND 129/3 Narasinga Puram Village Tiruvallure District in Patta No 114 or letting the same for any other commercial purpose.

For Petitioner : Dr.G.Krishnamurthy

For Respondents: Mr.K.S.Suresh,
Government Advocate

ORDER
(made by the Hon'ble Chief Justice)

Mr.K.S.Suresh, learned Government Advocate, takes notice on behalf of the official respondents.

2. The grievance of the petitioner is that the temple land in Narasingapuram Village, Tiruvallur District, at Patta No.114, is being converted in respect of its use at the behest of the respondent authorities.

3. There is no doubt that in accordance with the provisions of the appropriate Statute, temple land cannot be alienated or put to any use except in accordance with the provisions of the governing Statute. However, every passerby cannot be permitted to make a representation for the official respondents to consider such representation.

4. W.P.No.5438 of 2021 is disposed of by requesting the official respondents to ensure that the land belonging to any temple is duly preserved and such land may not be taken up for official use except in accordance with law. In other words, for the land to be sold or purchased or let out, the provisions of the governing Statute has to be followed.

5. Since the order passed here does not prejudice any of the respondents, the Writ Petition is disposed of on the above basis and before issuing any notice. However, the petitioner will be obliged to forward copies of the petition and this order to the respondents for immediate appropriate action. There shall be no order as to costs. Consequently, W.M.P.Nos.6039 and 6042 of 2021 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tar

To:

1.The Director Rural Development
and Panchayat, Chennai

2.The District Collector
Tiruvallur District

3.The Assistant Director Panchayat
Tiruvallur Collectorate Tiruvallur

4.The Tahsildar
Tiruvallur District

5.The Executive Engineer
Rural Development Tiruvallur District

6.The Assistant Executive Engineer
Rural Development Tiruvallur District

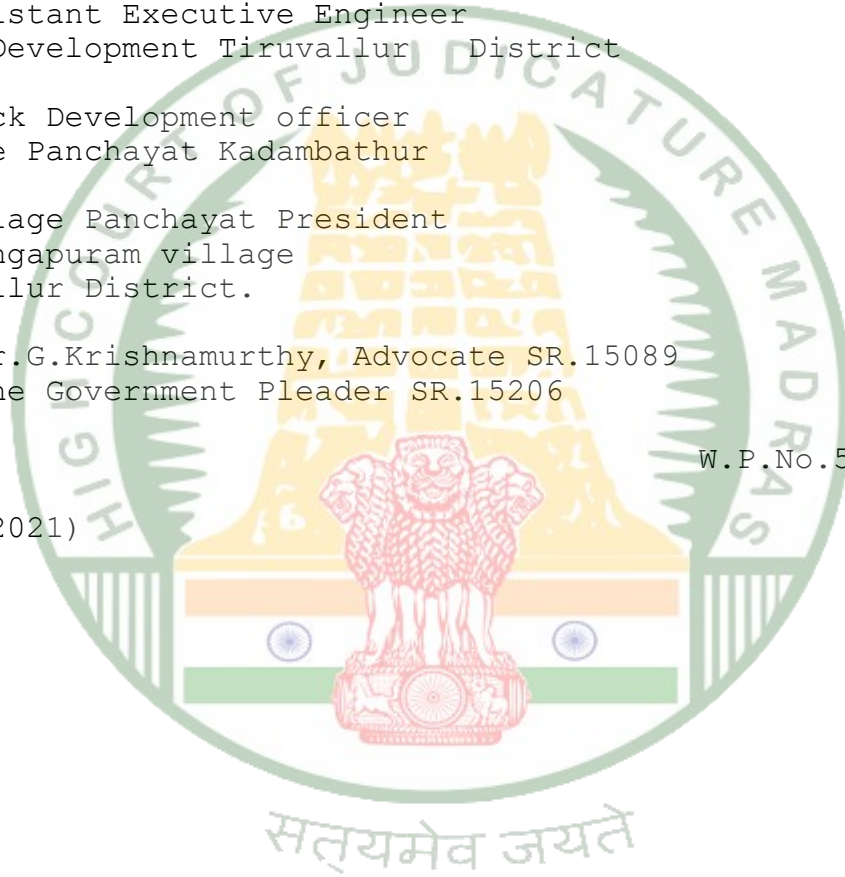
7.The Block Development officer
Village Panchayat Kadambathur

8.The Village Panchayat President
Narasingapuram village
Tiruvallur District.

+1cc to Mr.G.Krishnamurthy, Advocate SR.15089
+1cc to the Government Pleader SR.15206

W.P.No.5438 of 2021

SV(CO)
CB(19/03/2021)



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