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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.15528 of 2019

Sami. Pughalendhi

... Petitioner

vs.

1. The Chairman,
Tamil Nadu Housing Board,
Nandhanam, Chennai.
2. The Director,
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam, Chennai.
3. The Executive Engineer,
Tamil Nadu Housing Board,
East Pondicherry Road,
Maharajapuram,
Villupuram - 605 002.

4.Sekar

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus seeking a direction to the Respondents 1 to 3 to modify the layout in File No.17897/93/LA3 with respect to Industrial Plot Nos.1-3 on the file of the Respondents 1 to 3, based on the Petition dated 21.12.2018.

For Petitioner	:	Mr.S.C.Vishwanath
For Respondents 1 to 3	:	Mr.U.Baranidharan, Addl. Government Pleader
For 4 th Respondent	:	No appearance



O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents 1 to 3 to modify the layout in File No.17897/93/LA3 with respect to Industrial Plot Nos.1 to 3, based on the Petition dated 21.12.2018.

2. According to the Petitioner, he is the Priest of Arulmigu Sri Azhagumuthu Aiyyanar Temple of Velicchamandamal Village, Cuddalore, which is existing for more than 100 years and that, he is administering the day-to-day activities of the Temple. The deity of the said Temple is the family deity of people of other Villages too, viz. Semmandalam, Nathapattu, Kondoor and Chavadi Village.

3. It is further stated by the Petitioner that, the said Temple is situated in the middle of the Tamil Nadu Housing Board Unit at Arayatchikuppam Road of Cuddalore District and to the east of the Temple, there is a 200 feet road and the Temple has its main entrance on the eastern side. The entire ingress and egress of the Temple is by the said entrance situated on the eastern side and there is no other way to enter or exit the Temple. The Temple is also surrounded by housing sites and houses of Tamil Nadu Housing Board.

4. The case of the Petitioner is that, Respondents 1 to 3/Tamil Nadu Housing Board had earmarked the vacant site situated on the eastern side of the Temple, i.e. the entrance of the Temple into three plots and proposed to sell the same to private parties. According to the Petitioners, the said act of the Board debars free access of the devotees to the Temple. Hence, the Petitioner made a representation dated 21.12.2018 to the Respondents/Board to reconsider the Plan without disturbing the peaceful entry of the devotees. As no action was taken on the said representation, the Petitioner has approached this Court.

5. Learned Additional Government Pleader appearing for Respondents 1 to 3/Tamil Nadu Housing Board submitted that, the Petitioner's representation will be disposed of in accordance with law.

6. Considering the facts and circumstances of the case and taking note of the submissions of the learned Additional Government Pleader, this Court directs Respondents 1 to 3 herein to consider the Petitioner's representation dated 21.12.2018 on merits and in accordance with law, after giving an opportunity of hearing to the parties concerned, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.



The Writ Petition is disposed of accordingly. No costs.
Consequently, connected W.M.P.No.17237 of 2019 is closed.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Chairman,
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Nandhanam, Chennai.
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+lcc to the Government Pleader, S.R.No.60668

W.P.No.15528 of 2019

SJ(CO)
CT 10/12/2021