



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.23555 of 2021

and

W.M.P.No.24773 of 2021

WEB COPY

1.Thangaraj
2.Kennady
3.Kirubananthan
4.Vinoth Kumar ...Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary of Government,
Hindu Religious and Charitable Endowment Department,
For.St.George, Chennai - 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam, Chennai - 600 035.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Kanchipuram, Kanchipuram District.
4. The District Collector,
Kanchipuram, Kanchipuram District.
5. The Commissioner of Police,
Chennai City Police,
Vepery, Chennai - 600 007.
6. The Deputy Commissioner of Police,
Ambattur Police Districty,
Avadi, Chennai - 600 054.
7. The Revenue Divisional Officer,
Kundrathur, Kancheepuram District.
8. The Tahsildar,
Kundrathur Taluk Office,
Kundrathur, Kancheepuram District.
9. The Inspector of Police,
Mangadu Police Station, Chennai. ...Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 4, 7 & 8 to consider and thereby disposing the representation made by the petitioners on 03.08.2021 for survey, protect and declared the temple of Arulmigu Koil (Government Poramboke) and his property situated at Kanchipuram District, Kundrathur Taluk, Chennai 600 122, Mangadu A Village, Old Survey Nos.138, 138/1 and 138/2, New Survey Number 138/7 measuring to an extent of 0.70 Hectare Square Meter/Ares of land belongs to Arulmigu Koil/Bajanai Kodam.

For Petitioner : Mr.K.Yuvaraj

For RR 1, 4 to 9 : Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents 4, 7 & 8 to consider and thereby disposing the representation made by the petitioners on 03.08.2021 to survey, protect and declare the temple of Arulmigu Koil (Government Poramboke) and their property situated at Kanchipuram District, Kundrathur Taluk, Chennai 600 122, Mangadu A Village, Old Survey Nos.138, 138/1 and 138/2, New Survey Number 138/7 measuring to an extent of 0.70 Hectare Square Meter/Ares of land belongs to Arulmigu Koil/Bajanai Kodam.

2. The aforesaid temple property belongs to Hindu Religious and Charitable Endowment Board (HR&CE). The petitioners are the devotees of Kamachi Amman, Sri Selva Vinayagar and Vallar Swami at Mangadu, Chennai. Moreover, in the Revenue Records, the said land classified as Arulmigu Koil (Government Poramboke). Now, the temple property is utilized by the Vallar Sangam. The petitioners and other persons have jointly together providing the foods to the people. In the circumstances, some miscreants' are trying to grab this alleged temple property. Therefore, the petitioner along with others have approached the HR&CE Board, but everything is ended vain. Hence, the petitioners sent a representation to the 4th respondent/Collector, Kancheepuram and he sent a letter o.mu.No.16082/2020/A3, dated 00.11.2020 ordered to the 8th respondent/Tahsildar to survey the alleged temple property and issue the village records based on the 3rd respondent/Joint Commissioner letter dated 12.11.2020. Finally, the 3rd petitioner gave a representation to the 8th respondent/Tahsildar to protect the alleged temple, but the officials of the Revenue Department have not considered on the representations of the petitioners dated 12.11.2020, 18.11.2020, 22.02.2021, 01.04.2021 and 03.08.2021. Therefore, the petitioners have come forward with the present writ petition.



3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents 4, 7 and 8 to consider the petitioner's representation dated 03.08.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents 4, 7 and 8 to consider the petitioner's representation dated 03.08.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and necessary parties concerned within a period of sixteen weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

gba/msm

To

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Represented by its Secretary of Government,
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For.St.George, Chennai - 600 009.
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5. The Commissioner of Police,
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6. The Deputy Commissioner of Police,
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8. The Tahsildar,
Kundrathur Taluk Office,
Kundrathur, Kancheepuram District.

9. The Inspector of Police,
Mangadu Police Station, Chennai.

+1cc to Mr.K.Yuvaraj, Advocate SR.No.56471

W.P.No.23555 of 2021

VBM(CO)
GMY(10/12/2021)