

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM :

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

W.P.No.20498 of 2019

A.Radhakrishnan

.. Petitioner

Vs.

1. The Secretary to Government
Revenue Department
Secretariat
Chennai - 600 009.
2. The Secretary to Government
Tourism, Culture and Endowments Department
Secretariat
Chennai - 600 009.
3. The Commissioner of Land Administration
Chepauk, Chennai - 600 005.
4. The Commissioner
Hindu Religious and Charitable Endowments Department
119, Nungambakkam High Road
Chennai - 600 034.
5. The District Collector
Salem.
6. The Taluk Executive Magistrate cum Tahsildar
Salem.
7. The Commissioner of Police
Salem.
8. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Salem.
9. The Fit Person/Assistant Commissioner
cum Executive Officer
Arulmigu Sugavaneswarar Swamy Temple
Salem Town.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus Directing respondents 1 to 5 to take necessary steps to acquire the land in accordance with law to Rajaganapathy temple under the control of 9th respondent by considering the proceedings dated 30.09.2015 issued by the 5th respondent and also by considering the petitioner's representation dated 29.09.2015.

For Petitioner : Mr.A.Radhakrishnan
Party-in-person

For Respondents : Ms.R.J.Radhika
Government Advocate
for respondents 1, 3, 5 to 7

Mrs.Rehana Begum
Government Advocate
for respondents 2, 4, 8 and
9

ORDER
(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY, J.)

The writ petition has been filed to direct respondents 1 to 5 to take necessary steps to acquire the land adjoining the Rajaganapathy Temple, which is under the control of the ninth respondent.

2. The ninth respondent has filed a counter-affidavit, wherein it is stated that it is not necessary to acquire the land adjoining the temple because the land which is presently available is adequate and sufficient.

3. The acquisition of such land is clearly a policy decision of the appropriate official respondents and a mandamus cannot be issued for this purpose as requested by the petitioner.

Accordingly, by taking note of the statement in the counter-affidavit of the ninth respondent, W.P.No.20498 of 2019 is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

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+lcc to the Government Pleader SR.7207

SMI (CO)
CB(23/02/2021)