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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

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THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.24429 of 2021 and
W.M.P.No.25757 of 2021

K.Ramachandran

... Petitioner

Versus

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Revenue Divisional Officer,
District Collectorate, Cuddalore.

3.The Superintendent of Police,
District Police Office,
Cuddalore District.

4.The Tahsildar,
Panruti Taluk Office,
Panruti, Cuddalore District.

5.A.K.Rajendran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent in his proceedings Mu.Mu.A2/4407/2020, dated 16.04.2021 and quash the same and consequently, direct the first respondent to conduct detailed enquiry based on the representation dated 26.07.2021.

For Petitioner : Mr.Krishnasamy Chinnasamy

For Respondents: Mr.M.R.Gokulkrishnan
Government Advocate for R1 to R4



O R D E R

This writ petition has been filed challenging the impugned order and consequently, to direct the first respondent to conduct detailed enquiry based on the representation dated 26.07.2021.

2. The brief facts of the case are as follows:

(i) The petitioner states that he is a resident of Kadampuliyur Village, Panruti Taluk, Cuddalore District. He claims that he belongs to Ayyankutty Vagayara and his family deity is Ayyanar. The Ayyanar Temple is situated in the above said Village. The petitioner and his Vagayara people have decided to renovate the said temple, since it was 150 years old. For the said purpose, a committee has been formed by the petitioner's Vagayara. All the members in the committee were belonged to the Ayyankutty Vagayara. The construction work of the temple has also been started after obtaining funds from the said Vagayara.

(ii) While matter stood thus, the fifth respondent stopped the temple construction and forced the temple committee to include him as a member of the committee. But, the same was resisted by the members of the petitioner's Vagayara, since the fifth respondent belongs to some other Vagayara. In view of that, the fifth respondent started creating issues and stopped the temple construction. After that, with the help of police protection granted vide order dated 16.08.2019, in CrI.O.P.No.21523 of 2019, the construction of the temple has been finished.

(iii) Thereafter, one of the members of the fifth respondent group has approached this Court in W.P.No.27868 of 2019 to form a temple construction committee with equal representatives and the same was subsequently, dismissed as withdrawn vide order dated 19.09.2019. Thereafter, the second and the fourth respondents conducted peace meeting between the petitioner's Vagayara and the fifth respondent group on 12.12.2019. In the said meeting, the petitioner's Vagayara informed the said respondents that they are going to approach the Court for their remedy. Thereafter, the second respondent, all of a sudden, passed the impugned order on 16.04.2021, without giving any opportunity to the petitioner. Aggrieved by the same, the petitioner is before this Court.



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3. Heard Mr.Krishnasamy Chinnasamy, learned counsel for the petitioner and Mr.M.R.Gokulkrishnan, learned Government Advocate for the respondents 1 to 4 and perused the materials placed on record.

4. Considering the facts and circumstances of the case and also having regard to the submissions made by the Learned Counsel appearing on either side, this Court directs the respondent concerned to conduct detailed enquiry based on the representation submitted by the petitioner dated 26.07.2021, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

SD/-
ASSISTANT REGISTRAR

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SUB ASSISTANT REGISTRAR

Rli
To

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Revenue Divisional Officer,
District Collectorate,
Cuddalore.

3.The Superintendent of Police,
District Police Office, Cuddalore District.

4.The Tahsildar,
Panruti Taluk Office,
Panruti, Cuddalore District.

+lcc to the Government pleader Sr.59768

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