



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.10411 of 2021

Kanyakumari Mavatta Marabusar Meetpu Kuzhu
Represented by its Secretary,
K.G.Krishnamani
S/o. Gnanaparanam
Nattalam Post,
Kanyakumari District.

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Revenue and Disaster Management,
Secretariat,
Fort St. George,
Chennai - 600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.

3.The District Collector,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to conduct Jamapanthi (Annual Settlement of Village Accounts) in Kanyakumari District for the fasli year 1430 (current year) and successive fasli year after getting the reports in consonance with Part I Revenue Standing Orders 26(13) in so far as temples situated in Kanyakumari District are concerned.

For Petitioner : Mr.V.Sasi Kumar

For Respondents : Mr.A.K.Manickam
Standing Counsel for Government



O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.V.Sasi Kumar, learned Counsel appearing for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents.

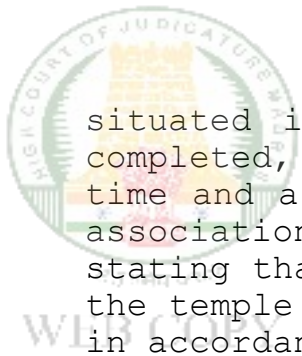
3.The petitioner is an Association called as Kanyakumari Mavatta Marabusar Meetpu Kuzhu, represented by its Secretary, who has filed this writ petition to direct the third respondent to conduct Jamapanthi, during which an Annual Settlement of Village Accounts is done in Kanyakumari District for the fasli year 1430 (current year) and successive fasli year after getting the reports in consonance with Part I Revenue Standing Orders 26(13) in so far as temples situated in Kanyakumari District.

4.According to the petitioner, there are more than 450 temples in Kanyakumari District and after the State reorganization, the temples that are now in Kanyakumari District which was originally vested with the Thiruvithangore Samasthanam was handed over to the Government of Tamil Nadu during the year 1956, when Kanyakumari was annexed to the State of Tamil Nadu. The petitioner would state that while reorganization took place, the lands which were temple lands when it was with the Thiruvithangore Samasthanam stood classified as Government Poramboke temple lands in the revenue records maintained by the Government of Tamil Nadu. This according to the petitioner association is incorrect and owing to which there are several encroachments that have taken place. The petitioner association would rely upon the report submitted by the Peishkars of the Thiruvithangore State during the revenue settlement proceedings which was conducted. With these averments and referring to certain orders passed by the erstwhile Thiruvithangore Samasthanam, the petitioner seeks for the aforementioned relief.

5.We are informed by the learned Government Counsel appearing for the respondents that the Government has taken a decision and the properties owned by the various temples in the State of Tamil Nadu are being hosted in the website of the department and therefore, information is in the public domain for the people to view the same and the work is in progress and as of now, it is stated that 70% of the details have been uploaded.

6.In the light of the same, we give liberty to the petitioner association to examine the information made available in the official website of the HR & CE department in respect of the temples

<https://hcservices.ecourts.gov.in/hcservices/>



situated in Kanyakumari District and if work is yet to be fully completed, the petitioner association shall wait for a reasonable time and after the details are uploaded, thereafter, the petitioner association can submit representation to the third respondent stating that which of the lands have be brought under the control of the temple and if such request is made, the same shall be considered in accordance with law.

7. With the above observation, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary to Government of Tamil Nadu,
Revenue and Disaster Management,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam High Road,
Nungambakkam, Chennai - 600 034.

3. The District Collector,
Kanyakumari District at Nagercoil.

+1 CC to M/s.SPL GP (SR-20172[F] dated 24/06/2021)

ORDER MADE IN
W.P. [MD]No.10411 of 2021
22.06.2021

TP(CO)

TR(06.07.2021) 3P 5C