



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.2859 OF 2022

M.Subramanian

... Petitioner

Vs.

1. The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration and Disaster Management,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Commissionerate of Land Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai - 600 034.
4. The District Collector,
Collectorate, Salem - 636 001.
5. The Director,
Anti-Corruption and Vigilance Commission,
Alandur, Chennai - 600 016.
6. The District Revenue Officer,
Collectorate, Salem - 636 001.
7. The Revenue Divisional Officer,
Revenue Divisional Office, Sankari - 637 301.
Salem District.
8. The Deputy Superintendents of Police,
Anti-Corruption Department,
Reserve Police Quarters,
Vincent, Salem - 636 007.



9. The Executive Officer,
Arulmigu Mariamman Temple,
Dasanaickenpalayam, Morur Bit - 1 Village,
Sankari Taluk, Salem District.

10. V.Srinivasan,
Special Tahsildar Land Acquisition (Airport),
Collectorate, Salem. (Then Tahsildar at Sankari).

11. S.Viji, Personal Assistant (Tahsildar),
Sub Collectors Office, Mettur,
Salem District.
(Then Zonal Deputy Tahsildar, Sankari)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 4th respondent to initiate appropriate departmental action as against the erring officials of respondents 10 and 11 and consequently issue direction to the respondents 5 and 8 to initiate appropriate action as against the respondents 10 and 11 on the basis of Inspection Cell Officer report in Na.Ka.No.94/2021/Aa.ku.1 dated 18.08.2021 and considering petitioner representation dated 15.07.2021 and 15.11.2021.

For Petitioner : Mr.R.Marudhachalamurthy

For RR 1, 2, 4, 5 to 8 : Mrs.S.Anitha
Special Government Pleader

For RR 10 & 11 : Mr.N.Manokaran

ORDER

The prayer as sought for in this Writ Petition seeking direction to the 4th respondent to initiate appropriate departmental action as against the erring officials of respondents 10 and 11 and consequently issue direction to the respondents 5 and 8 to initiate appropriate action as against the respondents 10 and 11 on the basis of Inspection Cell Officer report in Na.Ka.No.94/2021/Aa.ku.1 dated 18.08.2021 and considering petitioner representation dated 15.07.2021 and 15.11.2021.

2. The case of the petitioner in brief:

The petitioner used to visit the 9th respondent temple for worship and also partake in ritual and festivals of the temple.



Hence he has every right to safeguard the interest of the said temple. The respondents 10 and 11 had illegally transferred the patta of the temple's property in S.F.No.297/2, Dasanaickenpalayam, Morur Bit-1 Village, Sankari Taluk, Salem District to an extent of 0.88.0 Ars, in favour of individuals. Hence, the petitioner made a complaint before the respondents 1 to 3 and it was duly forwarded by them to the 4th respondent. Thereafter, the 4th respondent ordered for enquiry and Inspection Cell officer was appointed. The Inspection Cell Officer submitted a report on 18.08.2021 to the 4th respondent. But the 4th respondent has not taken any departmental action as well as criminal action as against the respondents 10 and 11. Hence this writ petition.

3. The learned Special Government Pleader submitted that the District Collector, Salem has filed a report stating that on petition given by the Executive officer of the 9th respondent temple, re-enquiry was ordered and the Revenue Divisional Officer, Sankari was appointed to re-enquire the matter and he has also filed a report on 24.03.2022. Now, the matter is under perusal of the District Collector, Salem for passing appropriate orders. He has also placed the above said report.

4. In the light of the subsequent event taken place, the prayer sought for in the writ petition seeking direction to the respondents 5 to 8 to initiate action against the respondent 10 and 11, based on the enquiry report dated 18.08.2021, has become infructuous. Therefore, court is inclined to pass the following order.

i) The District Collector, Salem (4th respondent) is directed to pass orders, on the complaint made by the petitioner, based on the Re-enquiry Report dated 24.03.2022 and in accordance with law, as early as possible, within period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mst



To

1. The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration and Disaster Management,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Commissionerate of Land Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road, Chennai - 600 034.
4. The District Collector,
Collectorate, Salem - 636 001.
5. The Director,
Anti-Corruption and Vigilance Commission,
Alandur, Chennai - 600 016.
6. The District Revenue Officer,
Collectorate, Salem - 636 001.
7. The Revenue Divisional Officer,
Revenue Divisional Office, Sankari - 637 301.
Salem District.
8. The Deputy Superintendent of Police,
Anti-Corruption Department, Reserve Police Quarters,
Vincent, Salem - 636 007.
9. The Executive Officer,
Arulmigu Mariamman Temple,
Dasanaickenpalayam, Morur Bit - 1 Village,
Sankari Taluk, Salem District.

+1cc to M/s.N.Manokaran, Advocate, S.R.No.27456

+1cc to M/s.R.Marudhachalamurthy, Advocate, S.R.No.28101

+1cc to the Government Pleader, High Court, Madras, S.R.No.27698

W.P.No.2859 of 2022

SS(CO)
RLP(05/05/2022)