



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.8272 of 2022

R.Senthilrajan

.. Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Kottai Mariamman Temple Complex,
Salem, Salem District - 636 001.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Kottai Mariamman Temple Complex,
Salem, Salem District 636 001.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 11.03.2022.

For Petitioner : Mr.N.Naveenkumar
for M/s.M.Kalyani

For Respondents : Mr.N.R.R.Arun Natarajan
(Special Government Pleader)

O R D E R

This Writ Petition is filed by the petitioner for a direction to consider his representation dated 11.03.2022.

2.By consent of the learned counsel appearing for the petitioner as well as Mr.N.R.R.Arun Natarajan, the learned Special Government Pleader, who takes notice for the



respondents, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he is a Priest cum trustee of Podhiyampatti Angalamman Thirukovil. The said temple comprising of 8.56 acres of land bearing Patta No.7 is situated at S.No.478, Mecheri Village, Mettur Taluk, Salem District. The said lands are referred to as "specific endowment lands". The said property was allocated to the petitioner and other priests for cultivating the land. The petitioner is in possession of 50 cents of the land. One of the trustees, by name Siddhuraj alienated the properties to 5 persons, without any right. The said trustee is also pressurizing the petitioner to sell the land given for the petitioner to third parties. Hence, he made several representations to the 2nd respondent. The 2nd respondent, by the letter dated 28.02.2022, directed the 3rd respondent to investigate into the matter and take necessary action as per law. The 3rd respondent, in collusion with the said trustee Siddhuraj, is alienating the property. Hence, the petitioner sent another representation dated 11.03.2022 to the respondents 1 and 2 to depute another person to enquire the complaint. Since no action is taken on the said representation, the petitioner has come out with the present Writ Petition.

4. The learned Special Government Pleader appearing for the respondents, on instructions from the 3rd respondent, submitted that there is no alienation by the trustees, especially Siddhuraj. The land in question is not "specific endowments land". The land belongs to the temple. The petitioner is an encroacher. The 3rd respondent is taking steps to evict the petitioner. Hence, the petitioner has made false allegation against the 3rd respondent.

5. Considering the above materials and in view of the allegation of the petitioner against the 3rd respondent, the 2nd respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law, after hearing the petitioner, Siddhuraj/trustee as well as the 3rd respondent and others, if any.

With the above directions, the Writ Petition is disposed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



gsa

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Kottai Mariamman Temple Complex,
Salem, Salem District - 636 001.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Kottai Mariamman Temple Complex,
Salem, Salem District 636 001.

+lcc to M/s.M.Kalyani, Advocate, S.R.No.23079

+lcc to the Special Government Pleader(HR&CE), S.R.No.24089

W.P.No.8272 of 2022

GJ[co]
NSK 20/04/2022