



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. NO. 12019 OF 2022

AND

WMP.NO.11437 OF 2022

K. Sathiyamoorthy

.. Petitioner

Versus

1. The Commissioner,
Hindu Religious Institutions,
District Collector Office Building,
PettaianChathiram, Puducherry-605 009.
2. The Executive Officer/Trustees Committee,
Arulmigu Shri Muthumariamman Kovil,
Kalmandapam Village, Nettapakkam Commune,
Puducherry.
3. The District Registrar,
Government of Puducherry Registration Department,
Sakthi Nagar, Saram, Puducherry-605 013.
4. The Sub Registrar,
Office of the Bahoor Sub Registrar,
Madha Kovil Street, Taluk Office Backside,
Bahoor, Puducherry 607 402.
5. MRF Limited,
Represented by its General Manager,
Eripakkam, Nettapakkam Commune,
Puducherry - 605 106

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 consider the petitioner representation dated 20.04.2022 and to pass appropriate orders in accordance with law within a limited time frame.



For Petitioner : Mr. A.M. Esakkiappan
For Respondents : Mr. D.J. Gearany
Government Advocate (Puducherry)
for R1 to R4

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ORDER

The prayer made in this writ petition is to issue a Mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 20.04.2022 and to pass appropriate orders thereof in accordance with law within a time to be specified by this Court.

2. The petitioner claims to be an ardent devotee of Arulmigu Shri Muthumariamman Kovil and Shri Vinayagar Kovil situated at Kalmandapam Village, Nettapakkam Commune, Puducherry. According to the petitioner, one Ananthasayanan and Mr. Shanmugam have executed a registered settlement deed dated 2.7.1980, settling the lands to an extent of 2 $\frac{1}{4}$ acres in R.S.No.106/1, Kalmandapam Village, Nettapakkam Commune, Puducherry in favour of the said Temple by mentioning that the property settled in favour of the temple should not be alienated and the proceeds thereof have to be utilized for temple purpose alone. While so, the 5th respondent who is the adjacent land owner of the temple property, in order to grab the temple land, is colluding with the Trust Committee of the said Temple, and attempting to alienate the temple land in his favour without the consent of the village people. In this regard, based on the representations made by the Villagers, the first respondent, by a communication dated 11.3.2022, called for a detailed report from the second respondent. The petitioner has also sent a representation dated 20.4.2022 to the respondents 1 to 4 to take appropriate action against the fifth respondent for alienating the temple land, but till date, the said representation has not been considered. Aggrieved against such inaction on the part of the respondents 1 to 4, the petitioner has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 4 and perused the materials available on record.

4. Considering the facts and circumstances of the case and having regard to the submissions of the counsel for the petitioner as well as the learned Government Advocate appearing for the respondents 1 to 4, this Court directs the first respondent to consider the representation dated 20.04.2022 of the petitioner, after affording an opportunity of hearing to the petitioner as well as fifth respondent and any other interested



parties and pass appropriate orders thereof, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

kmi/rsh

To

1. The Commissioner,
Hindu Religious Institutions,
District Collector Office Building,
PettaianChathiram, Puducherry-605 009.
2. The Executive Officer/Trustees Committee,
Arulmigu Shri Muthumariamman Kovil,
Kalmandapam Village, Nettapakkam Commune,
Puducherry.
3. The District Registrar,
Government of Puducherry Registration Department,
Sakthi Nagar, Saram, Puducherry-605 013.
4. The Sub Registrar,
Office of the Bahoor Sub Registrar,
Madha Kovil Street, Taluk Office Backside,
Bahoor, Puducherry 607 402.

+1cc to Mr. A.M. Esakkiappan, Advocate, S.R.No.31208

WP No. 12019 of 2022

CA (CO)
PM/20/05/2022