

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.05.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE C.SARAVANAN

WP.No.13270/2022

A.Radhakrishnan

.. Petitioner

Versus

1. The Commissioner of Revenue Administration.
Chepauk,
Chennai - 600 005.
2. The Inspector General of Registrations,
100 Santhome High Road,
Chennai - 600 028.
3. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai - 600 034.
4. The District Executive Magistrate/
District Collector,
Chennai.
5. The District Executive Magistrate/
District Collector,
Thiruvallur.
6. The Commissioner of Police,
Veperi,
Chennai.
7. The Commissioner of Police,
Avadi, Chennai.
8. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Padi, Chennai.

9. The Trustee,
Bairagi Math Arulmigu Thiruvengadamudaiyan Vekatesa
Perumal Thirukovil,
1, General Muthaiya Street,
Chennai - 600 079.

10. The Manager,
Bairagi Math Arulmigu Thiruvengadamudaiyan Vekatesa
Perumal Thirukovil,
1, General Muthaiya Street,
Chennai - 600 079.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus directing the respondents 1 to 8 to secure and safeguard the 9th and 10th respondent temple property connection with Patta No.1 to an extent of 55-29.5 hectares at Vellanur Village, Avadi Taluk, Tiruvallur District and other properties by considering the petitioner representations dated 27.05.2019 and 22.05.2022.

For Petitioner :	Mr.A.Radhakrishnan Party-in-Person
For R1, R2, R4 to R7 :	Mr.S.Ravi Kumar Special Government Pleader
For R3, R8 :	Mr.K.Karthikeyan Government Advocate (HR&CE)
For R9 & R10 :	Mr.A.K.Sriram for M/s.A.S.Kailasam Associates

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J]

- (1) The relief sought for in the present writ petition to direct the respondents 1 to 8 to secure and safeguard the 9th and 10th respondent/temple property in connection with Patta No.1 to an extent of 55-29.5 hectares at Vellanur Village, Avadi Taluk, Tiruvallur District and other properties by considering the petitioner representations dated 27.05.2019 and 22.05.2022.
- (2) Mr.S.Ravi Kumar, learned Special Government Pleader accepts notice for respondents 1,2,4 to 7. Mr.K.Karthikeyan, learned Government Advocate (HR&CE) accepts notice for respondents 3

and 8 and Mr.A.K.Sriram, learned Standing Counsel accepts notice for respondents 9 and 10.

- (3) Mr.R.Marudhachalamurthy, learned counsel for the petitioner submitted that this Court may revoke his Vakalat filed on behalf of the petitioner as the petitioner himself wants to argue his case in person. The said submission is recorded and the Vakalat is revoked.
- (4) Mr.A.Radhakrishnan, petitioner/party-in-person articulated his case by stating that larger extent of temple properties are being encroached or dealt with by some persons in an legal manner. The petitioner/party-in-person submitted a complaint dated 27.05.2019 and thereafter on 20.05.2020.
- (5) The grievances of the petitioner/party-in-person is that the authorities are not initiated any action to recover temple property for the benefit of the temple and therefore, he is constrained to move the present petition.
- (6) Mr.A.K.Sriram, learned Standing Counsel appearing for respondents 9 and 10 made a submission pursuant to the original complaint given by the writ petitioner on 27.05.2019, a survey was conducted and based on the survey, the authorities have found that 134 acres (approx.) stands in the name of the 9th respondent temple and they found several encroachments in that locality. It is contended that actions are taken to recover the properties from the hands of the encroachers and the Hindu Religious and Charitable Endowments Department also has initiated action in this regard.
- (7) Mr.K.Karthikeyan, learned Government Advocate (HR&CE) appearing for respondents 3 and 8 also reiterated the same by stating that the HR & CE Department has already taken action on the recovery of temple property and is in progress.
- (8) It is needless to state that when the complaint given by the petitioner/party-in-person seems to be acted upon and further, the Department also has acted upon based on the complaint given by the petitioner/party-in-person, they are bound to continue the same actively and initiate all appropriate action for the purpose of recovery of the temple properties.
- (9) When the respondents also made a submission that actions are in progress and therefore the complaint will be acted upon, no further consideration is required.
- (10) Accordingly, the respondents are directed to consider the complaint given by the petitioner/party-in-person and

initiate all appropriate actions for the purpose of recovery of temple properties for the benefit of the temple. It is made clear that the recovery of the temple properties are to be made as expeditiously as possible by following the procedure as contemplated.

(11) With these directions the writ petition stands disposed of.
No costs.

Sd/-
Assistant Registrar (Vacation Officer)

//True Copy//

Sub Assistant Registrar

cda/AP

To

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Chennai - 600 005.
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+1cc to the Government Pleader, S.R.No.31784

+1cc to the Government Pleader, S.R.No.31879 [30/05/2022]

WP.No.13270/2022

AJS (CO)
SU(30/05/2022)