



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.13735 of 2022

A.Radhakrishnan

...Petitioner

-Vs-

1. The Secretary to Government,
Tourism Culture & Endowments Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
4. The Director of Land Survey and Settlement,
Chepauk, Chennai - 600 005.
5. The Inspector General of Registrations,
100, Santhome High Road,
Chennai - 600 028.
6. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai - 600 034.
7. The District Executive Magistrate/District Collector,
Chennai - 600 001.
8. The Inspection Cell Officer,
Chennai - 600 001.
9. The Commissioner of Greater Chennai Corporation,
Rippon Building, Chennai - 600 003.
10. The Member Secretary,
Chennai Metropolitan Development Corporation,
Egmore, Chennai - 600 008.



11.The Commissioner of Police,
Tambaram, Chennai - 600 045.

12.The Chief Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Chennai - 600 002.

13.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Chennai - 600 006.

14.The Executive Officer,
Arulmigu Ramanatheeswarar Temple,
Porur, Chennai - 600 004.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 13 to secure and safeguard the 14th respondent temple properties by considering petitioner's representations dated 03.09.2014 and 26.05.2022.

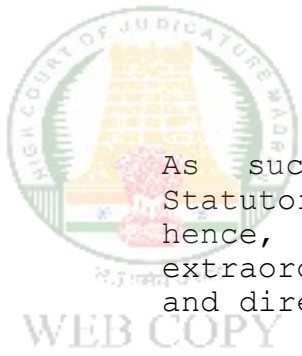
For Petitioner	: Mr.R.Marudhachalamurthy
For R1, 6, 13 & 14	: Mr.S.Yashwanth, AGP
For R2 to 5, 7, 8, 11 & 12	: Mr.Vijay Anand, AGP
For R9	: Mr.P.Manoj Kumar
For 10	: Mr.R.Sivakumar

ORDER

(Order of the Court was made by M.S.RAMESH, J.)

The petitioner herein had given representations to the respondents on 03.09.2014 and 26.05.2022 requesting to secure and safeguard the properties of the 14th respondent-Temple. Since the said representations were not considered, the present writ petition has been filed.

2. It is needless to point out that whenever representations of this nature are made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely.



As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observation, there shall be a direction to the 6th respondent herein to consider the petitioner's representations dated 03.09.2014 and 26.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

hvk

To

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3. The Commissioner of Land Administration,
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5. The Inspector General of Registrations,
100, Santhome High Road,
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6. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai - 600 034.
7. The District Executive Magistrate/District Collector,
Chennai - 600 001.
8. The Inspection Cell Officer,
Chennai - 600 001.
9. The Commissioner of Greater Chennai Corporation,
Rippon Building, Chennai - 600 003.
10. The Member Secretary,
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11. The Commissioner of Police,
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and Distribution Corporation,
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13. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Chennai - 600 006.
14. The Executive Officer,
Arulmigu Ramanatheeswarar Temple,
Porur, Chennai - 600 004.

+1cc to Mr.R.Sivakumar, Advocate, S.R.No.32168

+2ccs to Mr.P.Manoj Kumar, Advocate, S.R.No.32089

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.31988

+1cc to the Government Pleader, S.R.No.32248

+1cc to the Special Government Pleader (HR & CE), S.R.No.32256
(15/06/2022)

W.P.No.13735 of 2022

GPL (CO)
UMA (14/06/2022)