



WEB COPY



W.P.No.12687 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.12687 of 2014

Tamizhaga Dalit peoples Association,
rep.by its
State Secretary S.Selvakumar
No.7/179, P.S.G.R.Nagar, Vedappatti Post,
Coimbatore 641007.

.. Petitioner

Vs.

- 1.The State of Tamil Nadu, rep.by
the Secretary to Government,
Revenue Department,
Fort St.George, Chennai 9.
- 2.The Secretary,
Adi Dravidar Welfare and Tribal Department,
Chepauk, Chennai 600005.
- 3.The District Collector,
Coimbatore District, Coimbatore.
- 4.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dr.Balasundaram Road, Coimbatore 641 018.
- 5.The Welfare Officer,
District Adi Dravidar Welfare and Tribal Department,
Coimbatore District.



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6. The Special Tahsildar,
Land Department, Adi Dravidar Welfare,
Coimbatore.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying of issuance of Writ of Mandamus Directing the Respondents to consider and dispose of the Petitioner representation dated 08.04.2013 and consequently directing the Respondents to divide the land and distribute the same to the dalit peoples in and around the locality of the temple land and the same will be helpful for the needy dalit peoples.

For Petitioner : Mr.N.Chinnaraj

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The petitioner has filed this petition for issuance of writ of Mandamus directing the Respondents to consider and dispose of the Petitioner representation dated 08.04.2013 and consequently directing the Respondents to divide the land and distribute the same to the dalit peoples .

2. The case of the petitioner is that the waste land measuring an extent of 23.42 acres belongs to Arulmigu Veeraswara Sami Temple was illegally grabbed by the then priest and they tried to alienate the



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land belongs to the temple, however the 4th respondent after coming to know about the said illegal act, had taken steps to recover the land from the above said persons and taken into custody. Now the petitioner had approached the respondents to divide the land and distribute the same to the Dalit peoples in and around the locality of the Temple and sent a representation dated 08.04.2013 to the 3rd respondent in that regard. Since the representation was not considered till date, he is constrained to approach this Court by filing this writ petition.

3. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the respondents to consider his representation and pass appropriate orders within a stipulated time frame.

4. This Court after hearing the submissions on either sides, is of the considered view that facts in the present case is not in dispute. The petitioner claims that there was a vast extent of land available in



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the name of the Temple and he wants to distribute the said lands to the downtrodden people. However this Court is of the opinion that the lands belonging to the Temple cannot be alienated as sought in the present writ petition and further already there was a scheme announced by the Government for providing lands to the downtrodden people. The petitioner without making representation to the appropriate authority seeking land under the said scheme, filing this writ petition to distribute the temple land, is not sustainable. Hence, the prayer sought for by the petitioner cannot be granted and therefore, the writ petition is liable to be set aside.

5. This writ petition is dismissed with the above terms. No costs.

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- To
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M.DHANDAPANI,J.
Sk

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