

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO

PRESENT:-

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.NOS.25397, 25291, 25289, 25295, 25300, 25302,
25408 AND 25411 OF 2021

MR.B.MURALI	... PETITIONER in W.P.No.25397 of 2021
MR.BABU	... PETITIONER in W.P.No.25291 of 2021
MR.MURALI	... PETITIONER in W.P.No.25289 of 2021
MRS.REVATHI	... PETITIONER in W.P.No.25295 of 2021
MR.MUTHUKRISHNAN	... PETITIONER in W.P.No.25300 of 2021
MR.SANTHANAKRISHNAN	... PETITIONER in W.P.No.25302 of 2021
MRS.R.SASIKALA	... PETITIONER in W.P.No.25408 of 2021
MR.D.VENKATESAN	... PETITIONER in W.P.No.25411 of 2021

.Vs.

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
TAMIL DEVELOPMENT,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT
AND INFORMATION DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
- 2 THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT,
CHENNAI - 600 034.

- 3 THE JOINT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT,
VILLUPURAM DISTRICT.
- 4 THE ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT,
CUDDALORE DISTRICT.
- 5 THE EXECUTIVE OFFICER,
ARULMIGU VIRURDHAGIREESWARAR TEMPLE,
VRIDDHACHALAM TOWN,
CUDDALORE DISTRICT - 606 001.

... Respondents Common in
all W.P.No's

COMMON PRAYER:-

These Writ Petitions are filed under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a Writ of Certiorarified Mandamus, or any other writ, order in the nature of Writ of Certiorarified Mandamus;

PRAYER IN W.P.NO.25397 OF 2021:-

Calling for the records of the common order in G.O.(Ms) No.147, dated 01.11.2021, Tourism, culture and Religious Endowments (RE3.2) Department in R.P.No.22 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.82 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.14 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam, to the petitioner for running their shops.

PRAYER IN W.P.NO.25291 OF 2021:-

Calling for the records of the Common order in G.O.(Ms) No.147, dated 01.11.2021, Tourism, Culture and Religious Endowments (RE3.2) Department in R.P.No.20 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.80 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.12 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th Respondent to allocate

appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam to the petitioner for running their shops.

PRAYER IN W.P.NO.25289 OF 2021:-

Calling for the records of the Common order in G.O. (Ms) No.147, dated 01.11.2021, Tourism, Culture and Religious Endowments (RE3.2) Department in R.P.No.19 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.79 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.11 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th Respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam to the petitioner for running their shops.

PRAYER IN W.P.NO.25295 OF 2021:-

Calling for the records of the Common order in G.O. (Ms) No.147, dated 01.11.2021, Tourism, Culture and Religious Endowments (RE3.2) Department in R.P.No.17 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.77 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.07 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th Respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam, to the petitioner for running their shops.

PRAYER IN W.P.NO.25300 OF 2021:-

Calling for the records of the Common order in G.O. (Ms) No.147, dated 01.11.2021, Tourism, Culture and Religious Endowments (RE3.2) Department in R.P.No.21 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.81 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.13 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th Respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam to the petitioner for running their shops.

PRAYER IN W.P.NO.25302 OF 2021:-

Calling for the records of the Common order in G.O. (Ms) No.147, dated 01.11.2021, Tourism, Culture and Religious Endowments (RE3.2) Department in R.P.No.18 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.78 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in

M.P.No.10/2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th Respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam to the petitioner for running their shops.

PRAYER IN W.P.NO.25408 OF 2021:-

Calling for the records of the common order in G.O.(Ms) No.147, dated 01.11.2021, Tourism, culture and Religious Endowments (RE3.2) Department in R.P.No.24 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.84 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.16 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam, to the petitioner for running their shops.

PRAYER IN W.P.NO.25411 OF 2021:-

Calling for the records of the common order in G.O.(Ms) No.147, dated 01.11.2021, Tourism, culture and Religious Endowments (RE3.2) Department in R.P.No.23 of 2021 passed by the 1st Respondent and order dated 19.03.2020 in A.P.No.83 of 2019 passed by the 2nd Respondent and order dated 27.02.2019 in M.P.No.15 of 2018 E2 passed by the 3rd Respondent and quash the same and consequently direct the 5th respondent to allocate appropriate alternative site around the Sri Virudhagireeswarar Temple, Vriddhachalam, to the petitioner for running their shops and pass.

To

Mr.K.Sathish Kumar,
Advocate,
No.330/168, Pandu Klix Plaza,
No.25-B, 1st Floor,
Thambu Chetty Street,
Chennai - 600 001.
Mobile No.: +91 98420 41200.

WHEREAS this Court in its order dated 06/01/2022 and made herein appointed Mr.K.Sathish Kumar as Advocate Commissioner.

Therefore you, namely,

Mr.K.Sathish Kumar,
Advocate,
No.330/168, Pandu Klix Plaza,
No.25-B, 1st Floor,
Thambu Chetty Street,
Chennai - 600 001.
Mobile No.: +91 98420 41200.

shall give prior Notice to the parties concerned or their Counsel to visit the 5th Respondent temple premises and have a thorough verification of the Physical Features of the Temple Premises including the Temple and adjacent to the Temple both in the front side as well as rear side and also the side setback and file a report as to whether any activities, other than activities, like running a shop for selling any items are located and if so, the details of such shops with Photography and Sketch shall be filed in detail of such shops by way of report by you.

You are informed that during the visit of the Temple, the Executive Officer of the 5th Respondent as well as the Assistant Commissioner, H.R. & C.E. Department, Cuddalore District, shall render all necessary resistance with temple staff to complete the Inspection in a befitting manner.

You are further informed that it is open to the Petitioners or their Counsel to accompany you during the time of Inspection and the 5th respondent as well as the Petitioners shall render assistance to complete the task in an ease manner.

You are further informed that if need arises, i.e., in case of any objection raised by any party including any third parties, you shall fake the assistance of the Police concerned during the Inspection by requesting the Local Police authorities for getting such necessary security assistance.

You shall file a Report on 21/01/2022.

you are further informed that the initial remuneration for the Advocate Commissioner is fixed at Rs.50,000/- (Rupees Fifty Thousand only) which shall be paid to you, by the Petitioners through the Counsel or directly by the Petitioners forthwith.

You are further informed that the expenses shall incurred by you shall be separately claimed later on by producing the bills from the Petitioners side.

Witness the HONOURABLE MR.JUSTICE MUNISHWAR NATH BHANDARI,
Acting Chief Justice of the High Court of Judicature at Madras,
Thursday, the Sixth Day of January, 2022.

ASSISTANT REGISTRAR(CCC)

ORDER DATED:- 06/01/2022

WARRANT OF ADVOCATE COMMISSIONER

W.P.NOS.25397, 25291, 25289,
25295, 25300, 25302, 25408 AND
25411 OF 2021

SR(CO)
PBS/07/01/2022