



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.28730 OF 2019

Mathivanan

.. Petitioner

vs

1. The Government of Tamil Nadu
Rep.by its Secretary, Ministry of Hindu
Religious Charitable Endowments
St. George Fort, Chennai-9
2. The District Collector
Thiruvallur District, Thiruvallur
3. The District Collector
Chennai District, Chennai
4. The Assistant Director (Administration),
Government Museum, Egmore.
5. The Tahsildar, Madhavaram Taluk,
Madhavaram, Chennai District.
6. The Superintendent of Police
IDOL Wing C.I.D., Guindy, Chennai-32.
7. The Commissioner of Police
Greater Chennai, Office of the Police
Commissioner, Vepary, Chennai-7.
8. The Inspector of Police,
Law and Order, M-2 Madhavaram Milk
Colony Police Station, Chennai-51
9. The Additional Director General,
Idol Wing CID, Economic Offences Wing
Old Corporate Building, Thiru.vi.ka.
Industrial Estate, Guindy Chennai-32.



(R9 suo motu impleaded vide order of court dated 01.9.2021 by Hon'ble CJ and PDAJ)

.. Respondents

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Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 8 to trace out the IDOLS escalated in the year 2012 at Madhavarm Milk Colony Area and to submit them to the Madhavaram Milk Colony Periya Sekkadu Village Temple.

For Petitioner : No appearance

For Respondents : Mr.T.Chandrasekaran,
Special Government Pleader
(HR & CE) for R1

Mr.P.Muthukumar,
State Government Pleader
for R2 to R9

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed seeking a direction to respondents 1 to 8 to trace out the idols escalated in the year 2012 at Madhavarm Milk Colony Area and to submit them to the Madhavaram Milk Colony Periya Sekkadu Village Temple.

2. The above writ petition was heard from time to time and an order was passed to preserve the idol. Pursuant to the order passed by this Court, the idol is presently under the custody of the Assistant Director (Administration), Government Museum, Egmore, Chennai, namely the fourth respondent.

3. In so far as the ninth respondent is concerned, he was asked to find out as to whether the idol recovered, during the course of the construction of a building, belongs to any of the temples in the State of Tamil Nadu. However, it is stated that none of the temples has claimed it to be their idol. In view of the said submission, there would be no purpose in keeping the writ petition pending.



4. The only issue, which remains for consideration, is as to the identity of the idol, for which, a direction is given to the Assistant Director (Administration), Government Museum, Egmore, Chennai, namely the fourth respondent, to obtain an antiquity certificate from the State Archaeological Department, Chennai. It is made clear that if the idol is having antiquity value, the same shall be preserved as per the relevant Rules and if it is not found to be so, then also, the idol shall be preserved along with other idols.

5. With the above direction and observations, the writ petition is disposed of.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The Secretary,
The Government of Tamil Nadu,
Ministry of Hindu
Religious Charitable Endowments
St. George Fort, Chennai-9
2. The District Collector
Thiruvallur District, Thiruvallur
3. The District Collector
Chennai District, Chennai
4. The Assistant Director (Administration),
Government Museum, Egmore.
5. The Tahsildar, Madhavaram Taluk,
Madhavaram, Chennai District
6. The Superintendent of Police
IDOL Wing C.I.D., Guindy, Chennai-32
7. The Commissioner of Police
Greater Chennai, Office of the Police
Commissioner, Vepary, Chennai-7.



8. The Inspector of Police,
Law and Order, M-2 Madhavaram Milk
Colony Police Station, Chennai-51

9. The Additional Director General,
Idol Wing CID, Economic Offences Wing
Old Corporate Building, Thiru.vi.ka.
Industrial Estate, Guindy Chennai-32.

+1cc to the Government Pleader, S.R.No.7442

+1cc to the Special Government Pleader(HR & CE), S.R.No.7030

W.P.No.28730 of 2019

NRJK(CO)
RLP(11/02/2022)