



WP.No.29118 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE Mr. JUSTICE **M.DHANDAPANI**

WP.No.29118 of 2022

P. Alagappan

...

Petitioner

Vs

1. The Commissioner-cum-Under Secretary (Temples & Wakf)
Department of Hindu Religious Institutions & Wakf,
3rd Floor, Collectorate Complex, Puducherry – 605 009.
2. The Director of Survey and Settlement,
Kamarajar Salai, Puducherry – 605 013.
3. The District Collector,
Collectorate, Puducherry – 605 009.
4. The Tahsildar, Bahour Taluk Office,
Bahour, Puducherry 607 402
5. A. Radhakrishnan

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fourth respondent to survey and fix the boundary of the land in R.S.No.181/1 and 183/23, situated at Embalam Revenue Village, Puducherry and consequentially direct the first respondent to correct the erroneous entries made in the Extraordinary



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Gazettee No.115 dated 13.10.1986 as per the order passed in SP No. 5550/DOS/ST-2/2020 dated 01.02.2021 in all Revenue records and thereby to secure and safeguard the said property to and favour of Sri Varathamorthy Azhvar Koil, Embalam Revenue Village, Puducherry by considering the petitioner's representation dated 08.08.2022 and 24.08.2022 respectively and pass orders.

For Petitioner : Mr. R. Marudhachalamurthy

For Respondents : Mr. U. Bharanidharan
Additional Government pleader.

ORDER

By consent of both the parties this writ petition is taken up for disposal at the admission stage itself.

2. This writ petition is filed seeking a direction to the respondents to consider the petitioner's representations dated 08.08.2022 and 24.08.2022.

3. The case of the petitioner is that the petitioner is the hereditary trustee of Sri Varathamoorthy Azhvar Kovil. The subject matter of the writ petition is that adjacent to the Sri Varathamoorthy Azhvar Kovil, Mariamman



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temple is there and there was discrepancies with regard to the boundaries of the two temples. Hence, the petitioner made a representation to the first and fourth respondents on 08.08.2022 and 24.08.2022, respectively. Till date, the said representations were not considered hence, the present writ petition has been filed before this Court seeking an appropriate relief.

4. The learned counsel for the petitioner submitted that this Court may issue a suitable direction to the fourth respondent to consider the petitioner's representations and pass appropriate orders within the time stipulated by this Court.

5. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner's representations will be considered and suitable orders will be passed on merits within the stipulated period as fixed by this Court.

6. Heard, both sides and perused the materials available on record.



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7. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, direct the respondents to consider the petitioner's representation dated 24.08.2022 and take necessary steps to survey the property and fix the boundaries, after affording opportunity to the petitioner as well as the counter parties, if any, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

04.11.2022

smn
Index:Yes/No
Internet:Yes/No
Speaking/Non speaking



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M.DHANDAPANI, J.

smn

To

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