



W.P.(MD)No.27456 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.27456 of 2022

K.Sundarajan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tashidar,
Peravurani Taluk Office,
Thanjavur District.

3.The Block Development Officer,
Sethubavachathiram Panchayat Union
Peravurani Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to forbear the respondents 1 to 3 from converting the Ayyanarkovil Temple lands and its holy water tank comprised in Survey No.127/1 admeasuring an extent of 4 Acre 81 Cents situated at Chinnakalankadu Village, Kuruvikarambai Post, Peravurani Taluk, Thanjavur District for other purposes by considering the petitioner's representation dated 12.01.2021.



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For Petitioner

: Mr.D.R.Murugesan

For Respondents

: Mr.P.Thilak Kumar
Government Pleader

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, forbearing the respondents 1 to 3 from converting the Ayyanarkovil Temple lands and its holy water tank comprised in Survey No.127/1 admeasuring an extent of 4 Acres and 81 Cents situated at Chinnakalankadu Village, Kuruvikarambai Post, Peravurani Taluk, Thanjavur District, for other purposes, by considering his representation dated 12.01.2021.

2. Heard Mr.D.R.Murugesan, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Alleging that the respondents are trying to use the temple's lands for free patta scheme to the private individuals and at any time, they may issue such notification, the petitioner submitted a representation to the respondents on 12.01.2021, requesting them not to use the temple's lands and its holy water tank for any other purposes, and the same, according to the learned counsel for the petitioner, remains as such. Hence, the Writ Petition.

4. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied, if a direction is issued to the first respondent to dispose of his representation dated 12.01.2021, within a time frame.

5. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 12.01.2021, requesting to safeguard the Ayyanarkovil Temple lands



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and its holy water tank comprised in Survey No.127/1 admeasuring an extent of 4 Acres and 81 Cents situated at Chinnakalankadu Village, Kuruvikarambai Post, Peravurani Taluk, Thanjavur District, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned in the light of the directions issued by the Division Bench of this Court, regarding protection and maintenance of temple lands, in W.P.(MD) No.574 of 2015, by order dated 07.06.2021. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
02.12.2022

Internet : Yes / No
Index : Yes / No
sj

To

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tashidar,
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- 3.The Block Development Officer,
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Peravurani Taluk,
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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

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