



WP No.3381 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.3381 of 2020
and
WMP.No.3942 of 2020

Paramasivam

... Petitioner

Versus

1. The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2. The District Revenue Officer,
Tiruvannamalai,
Tiruvannamalai District.

3. The Revenue Divisional Officer,
Kalasapakkam Taluk,
Tiruvannamalai District.

4. The Tahsildar,
Kalasapakkam Taluk,
Tiruvannamalai District.

5. Narayanaswamy @ Anandhan

6. Palanivel

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to hand over the keys of the temples viz., Kamatchiamman Temple, Selva Vinayagar



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Temple, Sri Kaliasman Temple, Sri Mariamman Temple and Yelagiri Muneeswaran Koil, Devarayanpalayam, Velanandhal Village, Kalasapakkam Taluk, Tiruvannamalai District and recognise the petitioner as hereditary Dharma Karta of the afore said temple.

For Petitioners : Mr.R.Rajarajan

For Respondents : Mr. S.Silambu selvan, RR5 & 6
Mr.S.Balamurugan, GA RR4 to 4

ORDER

The writ petition has been filed seeking a direction to the respondents 1 to 4 to hand over the keys of the temples viz., Kamatchiamman Temple, Selva Vinayagar Temple, Sri Kaliasman Temple, Sri Mariamman Temple and Yelagiri Muneeswaran Koil, Devarayanpalayam, Velanandhal Village, Kalasapakkam Taluk, Tiruvannamalai District and recognise the petitioner as hereditary Dharma Karta of the afore said temple.

2. It is the grievance of the petitioner that the ancestors of the petitioner had established and built the aforesaid temples and there is copper inscription mentioning the name of the petitioner's great great grand father and the afore said temples have been continuously maintained by the ancestors of the petitioner. Such being the situation, the respondents 5 & 6 with an intention to take custody of the temples, created a law and order problem. The



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4th respondent has also handed over the key to the private respondents, for which, the petitioner has made several representations to the respondents to take action against the private respondents and recognise the petitioner as hereditary trustee. However, the respondents have received the representations and not taken any action so far. Without having no other option, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner submitted that this Court may direct the 3rd respondent to consider the petitioners representation and pass appropriate orders within the stipulated time as fixed by this Court.

4. The learned Government Counsel appearing on behalf of the respondents submitted that in this regard, the petitioner has sent a representation only to the first respondent, not to the third respondent. This Court may grant liberty to the petitioner to make a fresh representation to the third respondent to resolve the issue.

5. Heard both sides and perused the materials.

6. In such view of the matter, this Court grants liberty to the petitioner to make a fresh representation along with all the relevant documents to the



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third respondent within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the 3rd respondent shall consider the same and pass appropriate orders, after giving opportunity to the petitioner as well as the private respondents, on merits and in accordance with law, within a period of six weeks, thereafter.

7. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

05.04.2023

Index : Yes/No
Internet : Yes/No
rli

To

1. The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2. The District Revenue Officer,
Tiruvannamalai,
Tiruvannamalai District.

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