



WP No.9828 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.9828 of 2023

Nagarajan

... Petitioner

versus

1.The Principal Secretary
Revenue Department, Fort St George
Secretariat, Chennai 600 009

2.The Principal Secretary
Environment and Forest Department
Fort St.George, Secretariat
Chennai 600 009

3.The Principal Secretary
CT and RE Department
Fort St George
Secretariat, Chennai 600 009

4.The Commissioner
Hindu Religious Charitable Endowments Department
Nungambakkam, Chennai 600 034

5.The District Collector
Thiruvallur District Collector
Thiruvallur District

Page 1 of 6



WP No.9828 of 2023

6.The Tahsildar
Ponneri Taluk Office
Ponneri, Thiruvallur District

7.The Deputy Commissioner of Police
Redhills Police District, Madhavaram
Chennai 600 060

8.The Village Panchayat President
Padiyanallur Panchayat Office
Padiyanallur, Redhills, Chennai 600 052

9.K. Velusamy ... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing respondents 1 to 5 and 7 to consider and dispose of the representation made by the petitioner on 11.03.2023 15.03.2023 to protect, control and undertake the Verama Kali Temple pond and temple at Thiruvallur District Ponneri Taluk, Padiyanallur-2 Village, Survey No.86/4 totally measuring an extent of Hectare 0-050.50 Ares and to allow petitioner and other villagers to utilize the pond for doing the customs and rites.

For the Petitioner : Mr.K.Yuvaraj

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1 to 3 and 5 to 7

Mr.N.R.R.Arun Natarajan, Spl.G.P.
for H.R. & C.E. Department
for fourth respondent



WP No.9828 of 2023

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking a writ of mandamus directing respondents 1 to 5 and 7 to consider and dispose of the representation made by the petitioner to protect, control and undertake the Verama Kali Temple pond and temple at Thiruvallur District, Ponneri Taluk, Padiyanallur-2 Village, Survey No.86/4, totally measuring an extent of Hectare 0-050.50 Ares and to allow petitioner and other villagers to utilize the pond for doing customs and rites.

2. Learned counsel for the petitioner contended that the ninth respondent, a retired District Revenue Officer, is attempting to encroach the national highways road. The petitioner has given a representation dated 23.12.2022, in this regard, to the fourth respondent. That apart, another villager, one Mr.Ramesh, has also given a representation to the fourth respondent, dated 10.03.2023. However, there was no response from the authorities. Hence, this writ petition has been filed.



WP No.9828 of 2023

WEB COPY

3. Mr.Arun Natarajan, learned Special Government Pleader appearing for the Hindu Religious Charitable Endowments Department, has submitted that even according to the petitioner, the ninth respondent is only making an attempt to encroach and actual encroachment has not been made yet. Moreover, the temple situate on the bank of the pond does not belong to the Department. Learned Special Government Pleader assured that if any attempt is made by anyone to encroach upon the Government land, strict action would be taken, and if any encroachment is made, the same would be removed forthwith.

4. Recording the statement made by learned Special Government Pleader, this writ petition is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
30.03.2023

Index : Yes/No
Neutral Citation : Yes/No
tar



WP No.9828 of 2023

To
WEB COPY

1.The Principal Secretary
Revenue Department, Fort St George
Secretariat, Chennai 600 009

2.The Principal Secretary
Environment and Forest Department
Fort St. George, Secretariat
Chennai 600 009

3.The Principal Secretary
CT and RE Department
Fort St George
Secretariat, Chennai 600 009

4.The Commissioner
Hindu Religious Charitable Endowments Department
Nungambakkam, Chennai 600 034

5.The District Collector
Thiruvallur District Collector
Thiruvallur District

6.The Tahsildar
Ponneri Taluk Office
Ponneri, Thiruvallur District

7.The Deputy Commissioner of Police
Redhills Police District, Madhavaram
Chennai 600 060

8.The Village Panchayat President
Padiyanallur Panchayat Office
Padiyanallur, Redhills, Chennai 600 052



WEB COPY



WP No.9828 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

WP No.9828 of 2023

30.03.2023