



W.P.No.10107 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10107 of 2023
and
W.M.P.No.10129 of 2023

S.Balasankar

...Petitioner

Vs.

- 1.Union of India,
Represented by its Chief Secretary,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.
- 2.Secretary to Hindu Religious Institutions,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.
- 3.Secretary to Revenue (cum) District Collector,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.
- 4.Commissioner,
Department of Hindu Religious Institutions,



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Government of Puducherry,
Puducherry.

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5.Sub-Registrar,
Office of the Sub-Registrar,
Bahour,
Puducherry.

6.Board of Trustees,
Sri Arulmigu Muthumariamman
Sri Vinayagar Alayam,
Kalmandapam, Nettapakkam Commune,
Puducherry District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner representation dated 17th March 2023.

For Petitioner	: Mr.V.Balamurugane
For R1 to R5	: Mr.M.Nirmal Kumar Government Advocate (Puducherry)

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 4 to consider the representation submitted by the writ petitioner on 17.03.2023.



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2. The learned counsel for the petitioner states that the forefather of the petitioner donated immovable property in favour of Sri Arulmigu Muthumariamman Sri Vinayagar Alayam at Kalmandapam, Nettapakkam Commune, Puducherry District. The 6th respondent / Board of Trustees attempted to alienate the property in favour of third parties. Therefore, the petitioner submitted a representation to the authorities to prevent any such illegality but no action has been taken. Thus, the petitioner is constrained to move the present writ petition.

3. The learned Government Advocate appearing on behalf of the Puducherry Government made a submission that no such files are in process with the Government and the Temple is falling under the control of the Hindu Religious and Charitable Endowments Department of the Government of Puducherry. Thus, without permission from the Government, alienation cannot be done.

4. Since no such files are in progress, the present writ petition is untenable and filed merely based on apprehension.



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6. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

31.03.2023

Index : Yes
Speaking order
Neutral Citation: Yes

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To

1. The Chief Secretary,
Union of India,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.



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2. The Secretary to Hindu Religious Institutions,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.

3. The Secretary to Revenue (cum) District Collector,
Puducherry Secretariat,
Beach Road Secretariat Building,
Government of Puducherry,
Puducherry.

4. The Commissioner,
Department of Hindu Religious Institutions,
Government of Puducherry,
Puducherry.

5. The Sub-Registrar,
Office of the Sub-Registrar,
Bahour,
Puducherry.

6. The Board of Trustees,
Sri Arulmigu Muthumariamman
Sri Vinayagar Alayam,
Kalmandapam, Nettapakkam Commune,
Puducherry District.



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S.M.SUBRAMANIAM, J.

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