



WP No.10297 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.10297 of 2023
and WMP No 10278 of 2023

A.Poongavanam

.. Petitioner

-vs-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
HR & CE Department, Secretariat,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowments
Department, No.19, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department, Sathuvachaari,
Vellore District.
4. The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, District Collector Complex,
Kancheepuram.
5. The District Collector,
O/o. The District Collector,
Kancheepuram District, Kancheepuram.



WP No.10297 of 2023

6. The Tahsildar,
Uthiramerur Taluk,
Kancheepuram District.

7. S.Kalyanasundaram
8. K.Shanmugam
9. V.Kandhan
10.N.Venkatesan
11.R.Mani
12.T.Subbarayan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 6 herein to take action against the respondents 7 to 12 based on the petitioner's representation dated 11.02.2023 and 21.02.2023 respectively within the stipulated time framed by this Court.

For the Petitioner : M/s.R.Kalaiyarasi

For the Respondents : Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader
for RR 1 to 4

: Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mr.K.M.D.Muhilan,
Government Advocate,
for RR 5 and 6

: Mr.S.Ramesh for RR 7 to 12

* * * * *

ORDER



WP No.10297 of 2023

(Order of the Court was made by The Hon'ble Chief Justice)

WEB COPY

We have heard Ms.r.Kalaiyarasi, learned counsel for the petitioner, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for respondents 1 to 4 (HR & CE Department), Mr.P.Muthukumar, learned State Government Pleader, for respondents 5 and 6 and Mr.S.Ramesh, learned advocate for respondents 7 to 12.

2. The learned counsel for the petitioner submits that respondents 7 to 12 are engaged in the illegal act of unauthorisedly constructing commercial building in the temple land. No action is taken by the authorities.

3. The learned counsel for respondents 7 to 12 submits that no unauthorised construction is carried out. The members of the Trust change every two years and the shops are in existence for more than 40 years.

4. The learned counsel for the HR & CE Department submits that no permission was sought for construction of the shops. Now,



WP No.10297 of 2023

the construction has been stopped.

WEB COPY

5. The learned State Government Pleader, on instructions, submits that today, the survey would be made by the authorities and upon receipt of the survey report, further action would be taken by the authorities in accordance with law expeditiously.

6. In view of the statements made by the learned State Government Pleader and the learned advocate for the HR & CE Department about the construction and that the survey would be conducted today itself and further action would be taken, we are not required to pass any separate orders in the matter.

7. We hope and trust, the authorities shall take action immediately pursuant to and in tune with the survey report.

The writ petition is accordingly disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

19.06.2023

Index : yes/no

Neutral Citation : Yes/No

Page 4 of 6



WP No.10297 of 2023

WEB COPY

sra

To:

1. The Secretary to Government of Tamil Nadu,
HR & CE Department, Secretariat,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowments
Department, No.19, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department, Sathuvachaari,
Vellore District.
4. The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, District Collector Complex,
Kancheepuram.
5. The District Collector,
O/o. The District Collector,
Kancheepuram District,
Kancheepuram.
6. The Tahsildar,
Uthiramerur Taluk,
Kancheepuram District.



WEB COPY



WP No.10297 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

WP No.10297 of 2023

19.06.2023