



W.P.No.14731 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.14731 of 2020

Gayathri Selvam

...Petitioner

Vs.

- 1.The Secretary to Government
Tourism, Culture & Hindu Religious & Charitable
Endowments Department
Fort St. George, Chennai -9.
- 2.The Commissioner
Hindu Religious & Charitable Endowments Department
119, Uthamar Gandhi Salai
Nungambakkam
Chennai 600 034.
- 3.Joint Commissioner
Head Quarters
Office of Commissioner of Hindu Religious
and Charitable Endowments Department
119, Uthamar Gandhi Salai
Nungambakkam
Chennai 600 034.



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4. Assistant Commissioner
Office of Commissioner of Hindu Religious
and Charitable Endowments Department
119, Uthamar Gandhi Salai
Nungambakkam
Chennai 600 034.

5. Executive Officer
A/M, Karpaga Vinayagar Temple (Now Defunct)
Choolai, Chennai 600 112
Through E.O. Angala Parameshwari Amman Thirukoil
Royapuram, Chennai 600013.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 4 & 5 to consider the petitioner's representation dated 12.12.2019 & 23.12.2019, make a spot inspection, take appropriate legal steps and to submit a report as per the letter of the second respondent dated 24.12.2019 and the letters of the third respondent dated 03.01.2020 & 21.02.2020.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.K.Karthikeyan
Government Advocate (HR & CE)



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ORDER

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The petitioner herein seeks issuance of Writ of Mandamus, directing the respondents 4 & 5 to consider the petitioner's representations dated 12.12.2019 and 23.12.2019, make a spot inspection and take appropriate legal steps and submit a report as per the letter of the second respondent dated 24.12.2019 and letter of the third respondent dated 03.01.2020 & 21.02.2020 and pass further orders.

2. It is the case of the petitioner that the land of the temple near Arulmighu Karpaga Vinayagar Temple, situated at Door.Nos.41, 41/1, 41/2 & 41/3, Sami Pillai Street, Choolai is encroached by the third parties. In this regard, the petitioner submitted a representation dated 23.12.2019 to the respondents and the same has not been considered.

3. Mr.K.Karthikeyan, learned Government Advocate (HR & CE) appearing for the respondents, on instructions, submitted that the representation of the petitioner will be considered by the Jurisdictional Joint Commissioner-I, HR & CE, DPI Campus, Chennai and orders will be passed on merits.



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4. In view of the same, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the Joint Commissioner -I, HR & CE, DPI Campus, Chennai, to consider the representation of the petitioner dated 23.12.2019 and pass final orders within a period of 8 weeks from the date of receipt of copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

6. Registry is directed to send a copy of this order to the Joint Commissioner-I, HR & CE, DPI Campus, Chennai.

26.09.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
dna



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