



W.P.No.1046 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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V.Sathish Kumar

.. Petitioner

Vs

1.The District Collector,
Kancheepuram District.

2.The Commissioner,
Maraimalai Nagar Municipality,
Kancheepuram District.

3.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
228, JCK Nagar,
Chengalpattu-603 001.

4.The Executive Officer,
Hindu Religious & Charitable Endowments Department,
Sannathi Street, Singaperumal Koil,
Chengalpattu-603 204.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to initiate action against the respondent 4 to conduct enquiry on the



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basis of the petitioner's representation dated 28.09.2022 to protect the 30 feet common road situated in Survey No.350/31 Old Survey No.252 at Kattangulathur Village, Chengalpattu District have been registered as Government poramboke lands where Kanthali Amman Koil is situated.

For the Petitioner : Mr.R.Karunakaran

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 and 2

: Mr.N.R.R.Arun Natarajan
Spl. G.P. (HR & CE)
for respondent Nos.3 and 4

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

V.Sathish Kumar, son of Varadharajan, has filed this writ petition seeking issuance of a writ of mandamus directing the respondents to initiate action against the fourth respondent to conduct an enquiry based on the representation dated 28.9.2022 submitted by him and to protect 30 feet common road situated in Survey No.350/31, Old Survey No.252 situated at Kattangulathur



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Village, Chengalpattu District registered as Government poramboke land where Kanthali Amman Koil is situated.

2. Mr.R.Karunakaran, learned counsel for the petitioner, submitted that the petitioner is the owner of the land in Survey No.350/24 and 25 situated at Kanthali Amman Koil Street. He would submit that Kanthali Amman Koil Street is being developed by the third respondent by constructing a compound wall and making other improvements to the existing temple structure. At present, RCC column foundation has been laid in the middle of the street, by blocking the entire road which is the only way to the house of the petitioner, claiming the street to be a part of Kanthali Amman Koil. If the proposed compound wall is built, the petitioner will not have access to his house. Even though the petitioner sent a representation dated 28.9.2022 to the respondent authorities, the same did not evoke any response till date. Hence, the petitioner has been advised to file the writ petition.

3. Mr.J.Ravindran, learned Additional Advocate General, assisted



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by Mr.A.Selvendran, learned Special Government Pleader, appearing on behalf of respondents 1 and 2 and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR&CE) appearing on behalf of respondents 3 and 4, submit that the respondents shall jointly consider the representation of the petitioner dated 28.9.2022 and take appropriate action in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

4. In view of the submission made by learned Additional Advocate General appearing on behalf of respondents 1 and 2 and learned Special Government Pleader (HR&CE) appearing on behalf of respondents 3 and 4, we dispose of the writ petition with a direction to respondents 1 to 4 to jointly consider the representation of the petitioner dated 28.9.2022 and take appropriate action in accordance with law within a period of six weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
12.01.2023

Index : Yes/No
Neutral Citation : Yes/No
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