



W.P.No.27344 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.27344 of 2023

T.Anbu Ganesan

...Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No.8, River Side Street,
Pudupalayam, Cuddalore – 607 001.

3. The Executive Officer,
Vaidyanatha Swami Temple,
Tirumalapadi,
Ariyalur District – 621 851

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondent No.1 to 3 herein to consider the representation of the petitioner dated 17.06.2023, which was



W.P.No.27344 of 2023

given for removal of the metal sheds formed inside the Arulmigu Vaithiyanatha Swamy Temple, in the light of circulars issued by the 1st Respondent in Na.Ka.No.7871/2013/Y3 Dated 01.11.2021 and Na.Ka.No.7871/2013/Y3 Dated 13.09.2021.

For Petitioner : Mr.Arun Kasi

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

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to consider his representation dated 17.06.2023.

2.It is the case of the petitioner that Arulmigu Vaithiyanatha Swamy Temple, Thirumalapadi is a famous temple constructed by Pallava and Chola Kings. The 1st respondent issued a circular dated 13.09.2021, prohibiting any constructions in the temple so as to affect the architectural beauty of the temple. Notwithstanding such circular, there is a new construction of metal sheet sheds in front of the seven storeyed temple tower and five storeyed temple tower of the above said temple. The new construction of metal sheet sheds obstruct the view of the towers of the above said temple. The petitioner



W.P.No.27344 of 2023

submitted a representation in this regard to the respondents on 17.06.2023, requesting them to consider the same in the light of the circular issued by the 1st respondent on 13.09.2021 and the same has not been considered.

3. Mr.K.Karthikeyan, learned Government Advocate (HR & CE) takes notice for the respondents 1 to 3 submits that the constructions mentioned by the petitioner appear to have been made in the year 2015 prior to issue of circular by the 1st respondent. The learned counsel further submits that the representation will be considered by the 2nd respondent and appropriate orders will be passed in accordance with law.

4. In view of the stand taken by the learned Government Advocate appearing for the respondents, this court without expressing any opinion on the merits of the claim made by the petitioner, is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 17.06.2023 and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.



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W.P.No.27344 of 2023

S.SOUNTCHAR, J.

nti/mac

5. With the above direction, the writ petition stands disposed of. No costs.

19.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nti/mac

To

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Nungambakkam, Chennai – 600 034.
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W.P No.27344 of 2023