



WEB COPY

W.P.No.27091 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27091 of 2023

A.Radhakrishnan

... Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Kancheepuram.

3.The Regional Deputy Director of Survey and Land Records,
Chepauk,
Chennai – 5.

4.The Revenue Divisional Officer,
Kancheepuram.

5.The Tahsildar,
Walajabad Taluk,
Kancheepuram District.

6.The Present Administrator,
Arulmigu Valampuri Vinayagar Temple,
Walajabad,
Kancheepuram District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 5th respondent to convene joint meeting to safeguard the interest of the 6th respondent temple and its properties by considering the petitioner representation dated 19.07.2023.

For Petitioner	: Mr.T.Arumuga Gounder
For R1 to R5	: Mr.T.Venkatesh Kumar, Special Government Pleader
For R6	: Mr.D.Lakshmipathy

ORDER

The relief sought for in the present Writ Petition is to direct the 5th respondent to convene joint meeting to safeguard the interest of the 6th respondent / Temple and its properties by considering the petitioner representation dated 19.07.2023.

2. The petitioner appearing in person made a submission that large extent of Temple properties are encroached upon by the third parties. The 6th respondent / Temple has not initiated any action to protect the properties.



Initially the petitioner had submitted a representation to the Tahsildar to initiate appropriate action. The Tahsildar / 5th respondent informed the petitioner that a joint committee may be convened for the purpose of initiating action to resume the Temple properties from the hands of the occupants and to protect the same. Since, no action was taken, the petitioner has submitted a representation on 19.07.2023 to the respondents 2 to 4 to convene a meeting for the purpose of initiation of action without causing any undue delay.

3. The petitioner-in-person brought to the notice of this Court that the Temple properties are situated in the prominent area in Walajabad Village, Kanchipuram and therefore, urgent actions are required to prevent further alienation or misuse of Temple properties by third parties. The facts raised by the petitioner is to be addressed by the competent authorities. The petitioner seeks action to protect the properties belonging to the 6th respondent / Temple. It is the duty of the authorities to initiate action in such circumstances. In the present case, even after a representation, no action has been taken as required under law.



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4. Considering the facts and circumstances, the respondents 2 to 4 are directed to initiate all steps to ascertain the properties belonging to the 6th respondent / the Temple and remove the encroachments, if any found and protect the properties belonging to the Temple.

5. The 2nd respondent / the District Collector, Kanchipuram is directed to convene a meeting without causing any undue delay by fixing date and time and communicate the same to all the concerned officials including the petitioner.

6. The petitioner has brought to the notice of this Court that the Additional Chief Secretary / Commissioner of Land Administration issued a Circular to the District Collector, Kanchipuram in proceedings dated 08.07.2022 for the purpose of protecting the Temple properties. In view of the said circular, the District Collector is expected to act without causing any undue delay.



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7. With these clarifications, the Writ Petition stands disposed. No costs.

14.09.2023

skr

Index : Yes

Speaking order

To

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S.M.SUBRAMANIAM, J.

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