



W.P.No.34873 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34873 of 2022

A.Radhakrishnan

.. Petitioner-in
Person

Vs

- 1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.
- 2.The Secretary to Government,
Home Department,
Secretariat, Chennai-600 009.
- 3.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat, Chennai-600 009.
- 4.The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.
- 5.The Archaeological Commissioner,
Egmore, Chennai-600 008.



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6. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
7. The Additional Director General of Police,
Idol Wing CID,
Guindy, Chennai-600 032.
8. The District Executive Magistrate/
District Collector,
Salem-636 001.
9. The Taluk Executive Magistrate/
Tahsildar (West),
Suramangalam,
Salem-636 005.
10. The Regional Deputy Director of Survey
and Land Records,
Coimbatore.
11. The Corporation Commissioner,
Salem-636 001.
12. The Commissioner of Police,
Line Medu,
Salem-636 006.
13. The Senior Regional Manager,
TASMAC (Tamil Nadu State Marketing Corporation),
Fairlands,
Salem-636 016.
14. The Assistant Commissioner (Excise),
Collectorate,
Salem-636 001.



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15.The Deputy Inspector General of Registrations,
Kumaragiri Byepass,
Salem-636 014.

16.The Joint Commissioner,
Hindu Religious and Charitable Endowments Dept.,
Salem-636 001.

17.The Present Administrator,
Arulmigu Anjaneyar Temple,
Near Highways Bridge Roundana,
Leigh Bazar,
Salem-636 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to take immediate action to safeguard the 17th respondent temple and its property and also removing the TASMACH shop and Bar running next to the 17th respondent temple by considering petitioner representation dated 28.11.2022.

For the Petitioner : Mr.A.Radhakrishnan
Petitioner-in-Person

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 5
and 7 to 10

: Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader (HR&CE)
for respondent Nos.6 and 16



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: Mr.Arun Babu
Standing Counsel
for respondent No.11

: Mr.M.Sekar
Standing Counsel
for respondent No.13

ORDER

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

A.Radhakrishnan, appearing in person, has filed this writ petition seeking issuance of a writ of mandamus directing the respondents to take immediate action to safeguard the 17th respondent temple and its property and remove the TASMAL shop and Bar running next to the 17th respondent temple by considering petitioner's representation dated 28.11.2022.

2. The main grievance of the petitioner is that a TASMAL shop is operating within the prohibited distance from the 17th respondent temple. However, the averments made in support of the writ petition do not specify the distance of the TASMAL shop from the temple. The affidavit is bereft of particulars in this regard.



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3. That apart, the documents filed in support of the writ petition show that ventilating the grievances raised in this writ petition, the petitioner already sent a representation to the respondent authorities and based on the representation of the petitioner dated 28.11.2022, the Additional Chief Secretary/ Commissioner of Revenue Administration sent a communication dated 30.11.2022 to the District Collector, Salem, to conduct a joint inspection with the Tahsildar; District Fire Officer; Assistant Director (Survey); Assistant Commissioner, Salem Corporation; Assistant Commissioner (Excise); Archaeological Officer; Deputy Commissioner of Police; Assistant Commissioner (HR & CE) and other related departmental officials. In the said communication, qua the properties belonging to the 17th respondent temple, the authorities concerned were directed to examine and compare the documents for the last 120 years and take necessary action. The authorities concerned were directed to file a report to the office of the Additional Chief Secretary/Commissioner (Revenue) within a period of one week therefrom.



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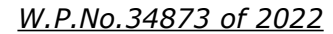
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4. The aforesaid communication dated 30.11.2022 of the Additional Chief Secretary/ Commissioner of Revenue Administration makes it clear that necessary action has already been initiated and the authorities are in seizin of the issue raised in this writ petition.

5. Inasmuch as the respondent authorities have already initiated necessary action based on the representation of the petitioner, no further order need be passed in this writ petition. Accordingly, the writ petition is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
02.01.2023

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- 2.The Secretary to Government,
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- 5.The Archaeological Commissioner,
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- 6.The Commissioner,
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- 12.The Commissioner of Police,
Line Medu, Salem-636 006.
- 13.The Senior Regional Manager,
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Fairlands, Salem-636 016.
- 14.The Assistant Commissioner (Excise),
Collectorate, Salem-636 001.
- 15.The Deputy Inspector General of Registrations,
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