



W.P(MD)No.22681 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.22681 of 2018

A.Radhakrishnan

... Petitioner

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,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai-600 009.

4. The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai-600 009.

5. The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Chennai-600 009.



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6. The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.

7. The Director of Survey & Settlements,
Chepauk, Chennai-600 005.

8. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.

9. The Director General of Police,
Dr.Radhakrishnan Road,
Chennai-600 004.

10. The District Collector,
Madurai District, Madurai.

11. The Taluk Executive Magistrate/Tahsildar,
Madurai North Taluk,
Madurai.

12. The Special Officer / Commissioner,
Madurai Corporation,
Madurai.

13. The Member Secretary,
Madurai Local Planning Authority,
Madurai.

14. The Deputy Inspector General of Registrations,
Madurai.

15. The Commissioner of Police,
Maduria City.

16. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,



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Madurai.

17. Thiru.Karumuthu T Kannan,
Fit Person,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

18. The Joint Commissioner / Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

19. The Deputy Commissioner / Executive Officer,
Arulmigu Subramaniaswamy Temple,
Thiruparangundram,
Madurai.

20. The Fit Person,
Suravali Subbaiyer Dharmam and
The Assistant Commissioner / Executive Officer,
Arulmigu Koodal Alagar Temple,
Madurai.

21. Thiru.M.S.Sankar @ Sankaran ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 16th respondent to take appropriate action to survey and identify the properties belonging to the 18th and 19th respondents temple and restore the same to in favour of those temples by considering the report submitted by the 11th respondent dated 17.05.2018 in R.C.No. 100/2018/B5 and the proceedings of the 16th respondent in R.C.No. 4350/2018/A4 dated 04.09.2018 as well as by considering the petitioner's representation dated 30.04.2018.

For Petitioner : Party-in-person



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For R1 to R11, R13,
R15, R16 & R19

: Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.P.Subbaraj
Special Government Pleader

For R12
For R14

: Mr.K.K.Kannan
: Mr.M.Prakash
Additional Government Pleader

For R17
For R18

: Mr.A.Kannan
: Mr.T.S.R.Venkataramana
Senior Counsel for

For R21

Mr.VR.Shanmuganathan
: Mr.R.Ponkarthikeyan

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the 16th respondent to take appropriate action to survey and identify the properties belonging to the 18th and 19th respondents temple and restore the same in favour of those temples by considering the report submitted by the 11th respondent dated 17.05.2018 in R.C.No.100/2018/B5 and the proceedings of the 16th respondent in R.C.No.4350/2018/A4 dated 04.09.2018 as well as by considering the petitioner's representation dated 30.04.2018.



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2. We do not think such a prayer can be granted based on a unilateral report of the Tahsildar. The question as to whether these properties are dedicated or there is a charge over the properties has to be decided only by a competent court having jurisdiction to go into the issue.

3. Hence, we do not find any justification to grant the prayer in the public interest litigation. Accordingly, this Writ Petition is dismissed. No costs.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
28.06.2023

Index : Yes / No
Neutral Citation : Yes / No
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