



WEB COPY

W.P.(MD) No.22959 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

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T.Naveenkumar

... Petitioner

-VS-

- 1.The Commissioner
Hindu Religious and
Charitable Endowment
Nungampakkam
Chennai
- 2.The District Collector
Trichy District
- 3.The Joint Commissioner
Hindu Religious and
Charitable Endowment
Trichy District
- 4.The Assistant Commissioner
Hindu Religious and
Charitable Endowment
Trichy District



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- 5.The Executive Officer
Arulmighu Devagiri Manai
Subramani Swami Temple
Pidaramangalam Post
Thottiyam Taluk
Trichy District
- 6.The Inspector
Hindu Religious and
Charitable Endowment
Thottiyam
Trichy District
- 7.Periyasamy Gurukkal
S/o.Thiyagaraja Kurukal
Hereditary Trustee of
Arulmighu Devagiri Manai
Subramani Swami Temple
Pidaramangalam Village & Post
Thottiyam Taluk
Trichy District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the third respondent to comply the order of the first respondent vide his proceedings in Na.Ka.No.49901/2022/R.3, dated 09.09.2022, within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R6



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ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This Court is unable to find out any public interest involved in this writ petition.

2. The petitioner appears to have filed this writ petition for getting a direction to the third respondent to comply with the order dated 09.09.2022 passed by the first respondent, within a time frame.

3. It is seen that the first respondent, by the proceedings dated 09.09.2022, has only issued a direction to the Joint Commissioner to take action against the persons, who are in enjoyment of the lands belonging to the Temple known as Arulmighu Devagiri Manai Subramani Swami Temple, Pidaramangalam Village & Post. The above communication of the first respondent is nothing but an intimation, on the basis of the representation of the petitioner. There was no enquiry conducted by the first respondent before issuing the said communication.



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4. Learned Government Pleader appearing for the respondents 1 to 6, on instructions, submits that the seventh respondent is the hereditary trustee of the said Temple and that the lands are under the cultivation of the tenants.

5. If that be so, the hereditary trustee / seventh respondent may initiate action only under the provisions of the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961.

6. The prayer in this writ petition is to direct the third respondent to implement the orders of the first respondent. Apparently, having regard to the nature of the direction sought for, this Court cannot issue any direction to the third respondent to implement the order of the first respondent, wherein there was no adjudication. In the said circumstances, this Court finds that the prayer cannot be granted in this writ petition.

7. Accordingly, this writ petition is dismissed. However, it is open to the petitioner to give a representation to the seventh respondent /



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hereditary trustee of the Temple as well as the third respondent / Joint Commissioner to take appropriate action for fixation of fair rent or for eviction of tenants under the provisions of the said Act. No costs.

[S.S.S.R., J.]

[D.B.C., J.]

21.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Commissioner,
Hindu Religious and
Charitable Endowment,
Nungampakkam,
Chennai.
- 2.The District Collector,
Trichy District.
- 3.The Joint Commissioner,
Hindu Religious and
Charitable Endowment,
Trichy District.
- 4.The Assistant Commissioner,
Hindu Religious and
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- 5.The Executive Officer,
Arulmighu Devagiri Manai
Subramani Swami Temple,
Pidaramangalam Post,
Thottiyam Taluk,
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- 6.The Inspector,
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