



W.P.(MD)No.30632 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

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A.Radhakrishnan

... Petitioner

Vs.

- 1.The Chief Secretary to Government,
Secretariat, Chennai-600 009.
- 2.The Secretary to Government,
Public (Special-A) Department,
Secretariat, Chennai-600 009.
- 3.The Secretary to Government,
Human Resources Development Department,
Secretariat, Chennai-600 009.
- 4.The Secretary to Government,
Revenue Department, Secretariat,
Chennai-600 009.
- 5.The Secretary to Government,
Home Department,
Secretariat, Chennai-600 009.



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- 6.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat, Chennai-600 009.
- 7.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.
- 8.The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.
- 9.The Officer on Special duty,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 10.The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 11.The Director of Town Panchayat,
Santhome Road, Chennai-600 028.
- 12.The Director General of Police cum Forts,
Dr.Radhakrishnan Salai, Chennai-600 004.
- 13.The Additional Director of Police,
Crime Branch, Criminal Investigation Department,
Chennai.
- 14.The District Executive Magistrate Cum District Collector,
Tiruchirappalli.
- 15.The Inspector General of Police,
Central Zone, Tiruchirappalli.



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16.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruchirappalli.

17.The Joint Commissioner/ Executive Officer,
Arulmigu Mariamman Thirukoil,
Samayapuram, Tiruchy District.

18.The Assistant Director of Town Panchayats,
Tiruchirappalli.

19.The Executive Officer,
Kannanur Town Panchayat,
Tiruchirappalli District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 18 to secure and safeguard the 17th respondent temple property situated in S.F.No.5, Kannanoor Town Panchayat, Samayapuram, Tiruchirappalli District by considering the petitioner's representations dated 10.10.2013, 03.09.2014 & 14.12.2023.

For Petitioner : Mr.A.Radhakrishnan (Party-in-Person)

For R1 to R8, R11 : Mr.S.Kameswaran,

R14 &R18 Government Advocate

For R9, R10 &R16 : Mr.Veera Kathiravan,

Additional Advocate General,

assisted by Mr.S.P.Maharajan,

Special Government Pleader

For R12, R13&R15: Mr.Veeranthiran, Government Advocate



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For R17 : Mr.S.P.Maharajan,
Special Government Pleader
For 19 : Mr.S.Shanmugavel,
Additional Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ on hand has been instituted, directing the respondents 1 to 18 to secure and safeguard the 17th respondent temple property situated in S.F.No.5, Kannanoor Town Panchayat, Samayapuram, Tiruchirappalli District by considering the petitioner's representations dated 10.10.2013, 03.09.2014 & 14.12.2023.

2.The petitioner states that he is an ardent devotee to the 17th respondent and submitted several representations to the Government officials to protect and safeguard the properties belonging to the 17th respondent Arulmigu Mariamman Thirukovil, Samayapuram, Trichy District. Since no action has been taken on the representation, the petitioner is constrained to move the present Writ Petition.



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3.The petitioner in person articulated his case by stating that the property of the minor devotee has been destroyed by few persons. Despite the information provided by him along with documents and evidences, the authorities competent have not shown sensitiveness in protecting the temple property.

4.We are of the opinion that the competent authorities of the Hindu Religious Charitable and Endowment Department are bound to protect and safeguard the temple properties in the manner contemplated under the Act. In the event of receiving any complaint or information about the illegality or irregularity in dealing with the temple properties, actions are to be initiated by following the procedures.

5.In the present case, since the petitioner has raised several serious allegations in protecting the temple property, more specifically, the property belonging to the 17th respondent, we are inclined to direct the respondents 16 and 17 to conduct detailed enquiry by permitting the petitioner to submit all his documents, complaints etc., and thereafter, take a decision to safeguard the property belonging to the 17th respondent. Though the petitioner states that



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criminal actions are required, all such decisions may be taken by the 16th respondent, after conducting enquiry into the allegations raised by the petitioner in his representations. The said exercise is directed to be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. The Enquiry and the actions taken by the respondents 16 and 17 shall be supervised by the 10th respondent.

6.It is to be noted that the petitioner has impleaded many Government officials, who are all unnecessary parties to the present Writ Petition. Since we have directed the respondents 16 and 17 to conduct enquiry, which is to be supervised by the 10th respondent, it would suffice for the purpose of redressal of the grievances addressed by the petitioner.

7.With the above directions, this Writ Petition stands disposed of. No costs.

(S.M.S., J.) & (V.L.N., J.)

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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