



W.P.No.859 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.859 of 2020

A.Radhakrishnan

.. Petitioner

Vs.

1. The Secretary to Government
Tourism, Culture & Endowments Department
Secretariat
Chennai 600 009.
2. The Commissioner
Hindu Religious & Charitable Endowments Department
119, Nungambakkam High Road
Chennai 600 034.
3. The Director General of Police
Dr.Radhakrishnan Salai
Chennai 600 004.
4. The District Collector
Namakkal.
5. The Superintendent of Police
Namakkal.



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6. The Sub Division Executive Magistrate cum
Revenue Divisional Officer
Tiruchengode
Namakkal District.
7. The Deputy Superintendent of Police
Anti Land Grabbing Special Cell
Namakkal.
8. The Deputy Superintendent of Police
Tiruchengode
Namakkal District.
9. The District Registrar
Namakkal.
10. The Joint Commissioner
Hindu Religious & Charitable Endowments Department
Salem 636 001.
11. The Assistant Commissioner
Hindu Religious & Charitable Endowments Department
Namakkal.
12. The Executive Officer
Arulmigu Dhamodhara Perumal Thirukoil
Komarapalayam, Namakkal District.
13. J.K.K. Munirajah .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 3 to take appropriate action as against the erring officials, who failed to safeguard the 12th respondent temple property situated in S.F.No.10/2 at Komarapalayam Agraharam Village, Namakkal District and



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consequently issue appropriate direction to second respondent Department to secure and safeguard the above said 12th respondent property by considering the petitioner representations dated 22.09.2014 and 07.01.2020.

For the Petitioner : Ms.Monolisa
For
Mr.R.Marudhachalamurthy

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
for Respondents 1, 3 to 9

Mr.N.R.R.Arun Natarajan
Special Government Pleader
(HR & CE)
for Respondents 2, 10 & 11

Mr.Wilson S.Topas
For M/s.A.S.Kailasam &
Assts.
For Respondent-12

Mr.S.Viswanathan
For M/s.Dass & Viswa Assts.
For Respondent-13

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.Monolisa, learned counsel for Mr.R.Marudhachalamurthy, learned counsel for the petitioner,



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Mr.C.Kathiravan, learned Special Government Pleader for the respondents 1 and 3 to 9, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for the respondents 2, 10 and 11, Mr.Wilson S.Tepas, learned counsel for the 12th respondent and Mr.S.Viswanathan, learned counsel for the 13th respondent.

2. Learned Special Government Pleader (HR & CE) submits that action under Section 78 of the Hindu Religious and Charitable Endowments Act and the other provisions would be initiated in respect of the properties, as there are no prohibitory orders against Hindu Religious and Charitable Endowments Department. The said action would be initiated preferably within three months.

3. In view of that, we are not inclined to adjudicate any issue in the matter. The writ petition, as such, stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

02.01.2024

Index : Yes/No
Neutral Citation : Yes/No



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8. The Deputy Superintendent of Police,
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9. The District Registrar, Namakkal.
- 10.The Joint Commissioner
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- 11.The Assistant Commissioner
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- 12.The Executive Officer, Arulmigu Dhamodhara Perumal Thirukoil
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

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