



W.P.No.2274 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.2274 of 2019

A.Radhakrishnan

... Petitioner

Vs.

- 1.The Commissioner of Land Administration,
Secretariat,
Chennai – 600 009.
- 2.The Director of Survey & Settlements,
Chepauk,
Chennai – 600 005.
- 3.The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai – 600 034.
- 4.The Chief Auditing Officer,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai – 600 034.
- 5.The District Collector,
Dharmapuri.
- 6.The Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Dharmapuri.



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7.The Deputy Inspector General of Police,
Salem.

8.The District Registrar,
Registration Department,
Dharmapuri.

9.The Joint Director of Agriculture,
Dharmapuri.

10.The Assistant Director,
Survey & Settlements,
Dharmapuri.

11.The Assistant Director of Panchayats,
Dharmapuri.

12.The Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution Corporation,
Dharmapuri.

13.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Dharmapuri.

14.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Dharmapuri.

15.The Hereditary Trustee,
Arulmigu Sakkiyamman Selliamman Thirukoil,
Elimichanna Halli, Karimangalam Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to take appropriate action as against the erring officials, who failed to secure and



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safeguard the 15th respondent temple property by considering petitioner representation dated 29.12.2018.

For Petitioner : Party-in-Person

For Respondents : Mr.U.Baranidharan
Additional Government Pleader
[R1, R2, R5 to R11]
Mr.S.Ravichandran
Additional Government Pleader
[R3, R4, R13 & R14]
Mr.D.Ramesh Kumar [R15]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the 3rd respondent to take appropriate action as against the erring officials, who failed to secure and safeguard the 15th respondent temple property by considering petitioner representation dated 29.12.2018.

2. The case of the petitioner is that, he is an ardent devotee of the 15th respondent temple, namely Arulmigu Sakkiamma Selliamman Thirukoil. He used to visit the 15th respondent temple and the said temple is under the control of HR & CE Department. On his visit, he found that the 15th respondent temple has agricultural property to an extent of



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1.39.50 hectares connected to patta No.1100 and the income derived from the said property was utilized for the welfare of the temple.

However, now, the property belonging to the said temple has been leased out for the personal gain of 15th respondent and not for the welfare of the temple. In order to secure and safeguard the properties of the said temple, the petitioner made a detailed representation dated 29.12.2018 before the respondents. Since the same was not considered, the petitioner has filed the present writ petition before this court.

3. Though very many grounds have been raised in this writ petition, the petitioner (Party-in-Person) submits that, it would suffice, if this court, issues a direction to the 3rd respondent to take appropriate action as against the erring officials, who failed to secure and safeguard the 15th respondent temple property by considering his representation dated 29.12.2018.

4. Learned Additional Government Pleader appearing for the respondents 1, 2, 5 to 11 submitted that, a team of officials of Divisional Inspector of HR & CE Department, Palacode, Sub Inspector of Survey, Karimangalam, Firka Surveyor and respective VAO, Elumichanahalli



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Village, Karimangalam Taluk in the presence of Trustee of the said temple and public, the said two Survey fields are surveyed on 27.09.2019 with due prior intimation to all concerned. The measurements of the said survey fields of 220/1 and 220/2 as found in the F.M. Book are verified and found correct and also shown the boundaries to all of them who were present at that time. The Inspector of HR & CE Department, Palacode had also agreed the same and satisfied at that extent only.

5. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the 3rd respondent to survey the field, if any, not survey and remove the encroachment, if any, found in the survey by considering the representation of the petitioner dated 29.12.2018, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No



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M.DHANDAPANI, J.

sp

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