



W.P. No. 6039 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 6039 of 2024

A.Radhakrishnan

... Petitioner

-VS-

1. The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Chennai – 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai – 600 034.
3. The Commissioner of Revenue Administration,
Chepauk,
Chennai – 600 005.
4. The Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.
5. The Director of Survey and Settlement,
Chepauk,
Chennai – 600 005.
6. The Director of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet,
Chennai – 600 015.



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7. The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 004.
8. The Director of Audit,
Hindu Religious & Charitable Endowments Department,
No. 9/19, Maharaja Suriya Salai,
Alwarpet,
Chennai – 600 018.
9. The District Collector,
Nagapattinam District.
10. The District Revenue Officer,
Nagapattinam.
11. The Superintendent of Police,
Nagapattinam.
12. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Nagapattinam.
13. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Nagapattinam.
14. The Chairman Board of Trustee/Fit Person,
Arulmigu Sowriraja Perumal Temple,
Thirukannapuram,
Nagapattinam Taluk & District.
15. The Executive Officer,
Arulmigu Sowriraja Perumal Temple,
Thirukannapuram,
Nagapattinam Taluk & District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to secure and safeguard the Fifteenth Respondent Temple properties by considering Petitioner representations dated 27.05.2019 and 04.02.2024.



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

For Respondents : Mr. S.Ravichandran,
Additional Government Pleader
(for R1, R2 & R12 to R15)

Mr. S.J.Mohamed Sathik,
Government Advocate (for R3 to R5)

Mr. V.Ravi,
Special Government Pleader
(for R6 & R8 to R10)

Mr. U.Baranidharan,
Additional Government Pleader (for R7)

Mr. J.Subbiah,
Government Advocate (Criminal Side)
(for R11)

ORDER

Heard Mr. A.Radhakrishnan, Party-in-Person, Mr. S.Ravichandran, Learned Additional Government Pleader appearing for the First, Second and Twelfth to Fifteenth Respondents, Mr. S.J.Mohamed Sathik, Learned Government Advocate appearing for the Third to Fifth Respondents, Mr. V.Ravi, Learned Special Government Pleader appearing for the Sixth and Eighth to Tenth Respondents, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the Seventh Respondents and Mr. J.Subbiah, Learned Government Advocate (Criminal Side) appearing for the Eleventh Respondents and perused the materials placed on record, apart from the pleadings of the parties.



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2. The grievance ventilated by the Petitioner is that he had made representations dated 27.05.2019 and 04.02.2024 to secure and safeguard the properties of the Temple of the Fifteenth Respondent, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 27.05.2019 and 04.02.2024 made by the Petitioner to secure and safeguard the properties of the Temple of the Fifteenth Respondent ;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to all persons concerned including the Petitioner requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;



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(iv) a reasoned order shall be passed dealing with each of the contentions

raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;

(v) if any of the properties of the Temple of the Fifteenth Respondent are found to have been encroached, necessary action shall be taken under law including resort to Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959; and

(vi) the report of such compliance shall be filed by 30.06.2024 before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

11.03.2024

Index: Yes/No

NCC: Yes/No

Note: (i) Issue order copy by 12.03.2024.

(ii) If the compliance report is not filed before the said date, the matter shall be placed before the Court.

vjt



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To

WEB COPY

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P.D. AUDIKESAVALU, J.

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