



W.P.No.10310 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10310 of 2024

Vasudevan

...Petitioner

Vs.

1.The Secretary to Government
Tourism Culture & Religious Endowments Department
Secretariat, Chennai – 600 009.

2.The Director of Land Administration
Chennai

3.The Director of Survey and Settlement
Chepauk, Chennai – 5.

4.The Assistant Director of Survey and Settlement
Chepauk, Chennai -5.

5.The Inspector of General of Registration
100, Santhome High Road,
Chennai – 28.

6.The Commissioner
Hindu Religious & Charitable Endowments Department
119, Nungambakkam High Road,
Chennai – 34.

7.The Commissioner of Town and Country Planning
No.807, Anna Salai,
Chennai -2.



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8.The District Collector,
Chengalpet.

9.The District Revenue Officer,
Chengalpet.

10.The Revenue Divisional Officer,
Tambaram, Vandalur Taluk,
Chengalpet District.

11.The Tahsildar,
Taluk Office, Vandalur,
Chengalpet District.

12.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department
Kancheepuram.

13.The Assistant Commissioner
Hindu Religious & Charitable Endowments Department
Kancheepuram.

14.The District Registrar,
Chengalpet District.

15.The Sub Registrar
Thiruporur Sub Registration Office,
Chengalpet District.

16.The Block Development Officer,
Thiruporur,
Chengalpet District.

17.The Member Secretary
Mamalapuram Local Scheme
Chengalpet.

18.The Director of Town and Country Planning
Chengalpet District.



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19.The Assistant Director of Panchayats,
Chengalpet.

20.The President of Trustee,
Arulmigu Akilandeswari Udanurai Agatheeswarar Thirukoil
No.37, Pudhupakkam,
Vandalur Taluk,
Chengalpet District.

21.The Executive Officer,
Arulmigu Akilandeswari Udanurai Agatheeswarar Thirukoil
No.37, Pudupakkam
Vandalur Taluk, Chengalpet District.

22.A.Radhakrishnan ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus to direct the respondents to secure and safeguard the properties in S.Nos.225/10, 225/14, 777/1, 227/2, 196/5, 196/6, 197/4 & 226 and restore the same to in favour of the 21st respondent temple by muting all the revenue records in favour of the 21st respondent temple by consideration the petitioner representation dated 30.12.2023.

For Petitioner : Mr.R.Marudhachalamurthy.

For respondents : Mr.Ravikumar, Spl.GP for R16.
Mr.S.Ravichandran, AGP (HR&CE)
for RR6, 12 & 13.
Mr.Yogesh Kannadasan, Spl.GP
for RR5, 14 & 15.
Mr.M.Shahjahan, Spl.GP
for RR1 to 4, 7 to 11, 18 & 19.



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aforesaid lands. The temple authorities have initiated action to retrieve the

lands way back in the year 2016 and till date those properties have not

been retrieved and restored in favour of the temple for the reasons best

known to them. In the aforesaid S.Nos alterations were made in the

revenue records and the same led to several encumbrances. The 6th

respondent having knowledge about the encumbrances in the said survey

numbers that the lands belonging to the temple/21st respondent have not

taken any steps to retrieve the same. Earlier the petitioner has sent detailed

representation to all the respondents herein on 28.02.2024. On receipt of

the said representation, the respondents 3, 12 & 19 have sent their

communication dated 11.03.2024, 13.03.2024 and 05.03.2024

respectively stating that they have forwarded the representation and as of

now no steps have been taken on the representation dated 28.02.2024.

Thereafter, the 22nd respondent has also sent a representation on

06.10.2023 to the Revenue Department, Hindu Religious and Charitable

Endowments and to the temple authorities. In turn, the 6th respondent has

sent his communication dated 18.10.2023 in Na.Ka.No.110579/2023/V2

to the 12th respondent for appropriate action, till date neither the HR&CE

department nor the other department officials have taken any initiative to

safeguard the properties of the 21st respondent/temple.



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4. In WP.No.20527 of 2014, the first bench of this Court had directed the State Government to take necessary steps to issue GO directing all the concerned authorities to attend such representations within a maximum period of 30days with a speaking order. Pursuant to the aforesaid order GO.Ms.No.99 has been issued stating that the acknowledgment should go immediately and at the most within three days of the receipt of grievance petitions. The grievance itself should be redressed within a maximum period of one month of its receipt and it should be with a speaking order in the event of a redressal or rejection if found necessary. In view of the above GO also, the officials have not considered the representation of the petitioner, hence, the petitioner constrained to file the present writ petition.

5. The learned counsel appearing for the respondents submits a communication of the Assistant Commissioner, Chengalpet dated 15.04.2024 wherein it is stated that the representations of the petitioner has been forwarded to the DRO, Chengalpattu and it is pending for enquiry. It is also stated that during the Abolition of Inam Act it is



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recorded in the copy of SLR that the lands in S.Nos.227/2, 225/14, 196/6

and 226 are covered under the Abolition of Inam Act. Further as per A-

Register during 1963, the properties in S.Nos.196/5, 196/6, 197/4, 225/10,

225/14 and 227/2 the entire extend of lands are recorded standing in the

name of temple. The land in S.No.226 Thirukulam has been wrongly

mentioned as Grama Natham in S.No.355. In SLR 225/10 the extent of

land is mentioned as 0.90acre and in 1963 A-Register it has been wrongly

mentioned as 0.08Acres. It is also reported that an appeal petition has

been filed to consider these changes in the title name of the temple.

6. The learned counsel has also stated that order has been issued for issuance of patta in favour of the Agatheswarar Temple in S.No.197/4 to an extent of 1.81acres. At present, three persons were appointed as non-hereditary trustees for management of the temple. The petitioner's wife was selected as head of the committee for administration of the temple from 18.11.2023. The management of the temple was handed over to the newly elected Chairman of the Committee by the Executive Officer of Thiruvidadanthai Arulmiku Nitya Kalyana Perumal Temple. The said Chairman of the Committee was added as 20th respondent in this writ petition. Since, the management of the temple is being looked after by the



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non-hereditary trustees, necessary steps are being taken by the DRO, Chengalpattu to transfer the revenue records. Hence, the learned counsel seeks considerable time to effect transfer in revenue records.

7. In view of the above factual position, the representations of the petitioner is pending before the DRO, Chengalpattu/9th respondent herein for further action. This Court directs the 9th respondent/DRO, Chengalpattu to complete the enquiry process and to pass appropriate orders for effecting mutation in the revenue records within a period of sixteen (16) weeks from the date of receipt of a copy of this order.

8. With the above observation, this writ petition is disposed of.

No costs.

16.04.2024

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Internet : Yes

Index : Yes

Speaking order : Yes / No

To

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V.BHAVANI SUBBAROYAN, J.

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