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WP.No.16437 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.16437 of 2024

Water Pandal Charities at Neidavayal Village
Rep. by its Sole Trustee T.Mohana Sundaram Chettiyar,
No.28/56, Manimeghalai Street, Madipakkam,
Chennai – 600 091.

... Petitioner

.. Vs ..

1. The Government of Tamil Nadu rep. by its Secretary,
The Hindu Religious & Charitable Endowments Department,
Fort St. George, Chennai – 600 009.
2. The Commissioner,
The Hindu Religious & Charitable Endowments Department,
119, Uthamar Gandhi Salai, Nungambakkam,
Chennai, Tamilnadu – 600 034.
3. The Assistant Commissioner,
The Hindu Religious & Charitable Endowments Department,
119, Uthamar Gandhi Salai, Nungambakkam,
Chennai, Tamilnadu – 600 034.
4. The Tahsildar/Executive Officer,
Arulmighu Kari Krishna Perumal Thirukkcoil,
Thiru Aayar Padi, Ponneri Taluk, Thiruvallur District.
5. The District Collector,
Thiruvallur District.
6. The Revenue Divisional Officer,



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Ponneri Taluk, Thiruvallur District.

7. The Revenue Divisional Officer,
Ponneri Taluk, Thiruvallur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the seventh respondent to remove the entry of 'temple land' mentioned in the patta No.212, comprising Survey No.779/1A, 779/3A, 780/3, 781, Neidavayal – 2 Village, Ponneri Taluk, Thiruvallur District, based on the petitioner's legal notice dated 19.06.2023 and consequently direct the fourth respondent to remove the HR & CE 'Notice Board' placed at Water Pandal Charity's building forthwith.

For Petitioner : Mr.G.Peranban

For Respondents : Mr.S.Ravichandran
Additional Government Pleader–R1 to R4

Mr.S..Mohammed Sathik
Government Advocate – R5, R6 & R7

ORDER

This writ petition is filed to direct the the seventh respondent to remove the entry of 'temple land' mentioned in the patta No.212, comprising Survey No.779/1A, 779/3A, 780/3, 781, Neidavayal – 2 Village, Ponneri Taluk, Thiruvallur District, based on the petitioner's legal notice dated 19.06.2023 and consequently direct the fourth respondent to remove the HR & CE 'Notice



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Board' placed at Water Pandal Charity's building forthwith.

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2. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4 and the learned Government Advocate for the respondents 5 to 7 and perused the materials available on record.

3. It is the case of the writ petitioner that the property comprised in Survey No.779/1A measuring to an extent of 4.85 aces, Survey No.779/3 measuring to an extent of 0.71 acres, Survey No.780/3 measuring to an extent of 1.36 acres , Survey No.781 measuring to an extent of 7.16 acres, in all measuring to an extent of 14.08 acres of land was granted as inam for the purpose of 'Thanneer Pandal Charities' and the said inam was confirmed by the Inam Commissioner by way of title deeds. As there was mismanagement in the Trust properties, the mother of the petitioner filed a suit in O.S.No.137 of 1968 against Mr.P.Balasubramaniam Chetty & Others for framing a scheme under Section 92 of CPC and the said P.Balasubramaniam Chetty filed another suit in O.S.No.143 of 1968 claiming that he is the sole Managing Trustee of Thanner Pandal Charities and the suits were jointly tried and the suit filed by the mother petitioner has been decreed in favour of his mother and other suit has been dismissed on 18.08.1973. Since then the mother of the petitioner was



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in management of the entire trust properties and after the death of his mother, the petitioner has taken up the management. In the suit filed by the petitioner in O.S.No.130 of 2009, defendant in the said suit produced an Order dated 08.03.2017 passed by the Assistant Commissioner, HR & CE wherein the Tahsildar/Executive Officer has been appointed as a Thakkar of the petitioner Trust. Challenging the same, the petitioner filed a Writ Petition in W.P.No.21533 of 2017 and this Court by an Order dated 06.09.2022, allowed the Writ Petition setting aside the appointment of Thakkar. Despite liberty granted to the authorities to proceed further in the above Writ Petition,, till now no action has been taken by the authorities and the entries in the revenue records have not been removed. Hence, the present Writ Petition.

4. The learned learned Additional Government Pleader appearing for HR & CE submitted that as per Order of the this Court in W.P.No.21533 of 2017 dated 06.09.2022, Fit Person has been appointed and an Order has been passed to bring all the properties in the name of the temple in revenue records and a copy of the letter of the Executive Officer of the temple dated 23.06.2024 has also been placed before this Court.

5. In such view of the matter, as the Order has already been passed and the trust has been brought under the control of HR & CE, this Court is of the view that a direction for removal of the name of HR & CE from the revenue



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records does not arise at all.

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6. Accordingly, this Writ Petition is dismissed. No costs.

23.07.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.

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