



WEB COPY



WP No. 13166 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P.No.13166 of 2024
and W.M.P.Nos.14309 & 14310 of 2024

Arulmigu Thulirkana Muthumariamman Thirukoil,
Represented by its Managing Trustee D.Mukundan

.. Petitioner

Versus

- 1.The Commissioner,
Greater Corporation of Chennai,
Rippon Building, Chennai – 600 003.
- 2.The Assistant Engineer,
Chennai Corporation Zone 5,
No.9, Chidambaram 7th Street, Basin Bridge,
Chidambaram Nagar, Chennai – 600 001.
3. The Executive Engineer,
Chennai Corporation Zone 5,
No.9, Chidambaram 7th Street, Basin Bridge,
Chidambaram Nagar, Chennai – 600 001.
4. The Chairman,
TANGEDO, 144, NPKRR Maaligai,
Anna Salai, Chennai – 600 002.



WP No. 13166 of 2024

5. The Assistant Executive Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd.,
No.8, Cemetery Road,
33/11 KV Anna Park SS [in Camps],
RSRM Hospital Opposite, Royapuram,
Chennai – 600 013.
6. The Executive Engineer / O & M.,
Public Information Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vyasarpadi, CEDC / North, Chennai – 600 039.
7. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai, Chennai – 600 0034.
8. The Joint Commissioner, Chennai – I,
Hindu Religious & Charitable Endowments Department,
No.128, Yadaval Street, Paadi, Chennai – 600 050.
9. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
No.128, Yadaval Street, Paadi, Chennai – 600 050.
10. The Executive Officer,
Arulmigu Tullirkana Muthu Mariamman Aalayam [TM000541],
Office at : Arulmigu Varadaraja Manaval Magumuni Temple,
No.38, Varadha Muthaippan Street, Chennai – 600 001.
11. The Inspector of Police,
Royapuram Police Station, Chennai.
12. D.Jothilakshmi
13. D.Shanmuga Vadivel alias Naveen
14. S.Akthar Basha
15. A.Mubeena Banu

.. Respondents



WP No. 13166 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to demolish the unauthorized construction put up by the respondents 14 and 15 with connivance of respondents 12 and 13 in Old Door No.11, New No.21 extent of site 511 sq.ft. belonging to the petitioner temple situate at Cemetery Road, Royapuram, Chennai – 600 013.

For Petitioner : Mr.T.Sitharthan

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel for R1 to R3
Mr.L.JaiVenkatesh
Standing Counsel for R4 to R6
Mr.K.Karthikeyan,
Government Advocate for R7 to R10
Mr.A.Gokulakrishnan
Additional Public Prosecutor – R11

ORDER

(Made by **A.D.JAGADISH CHANDIRA, J.**)

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The Writ Petition is filed by the petitioner seeking direction to the respondents 1 to 3 to demolish the unauthorized construction put up by the respondents 14 and 15 with connivance of respondents 12 and 13 in Old Door No.11, New No.21 extent of site 511 sq.ft. belonging to the petitioner temple situate at Cemetery Road, Royapuram, Chennai – 600 013.



WP No. 13166 of 2024

3. It is the case of the writ petitioner that during the inspection of time affairs and properties, it was found that respondents 14 and 15 are in illegal occupation into the temple property which was originally leased to Mr.Damodaran.Hence, the petitioner lodged a complaint to the 11th respondent, which is pending without consideration till date. Hence, this writ petition.

4. Heard both sides and perused the materials placed on record. Considering the limited relief sought for in this writ petition, the first respondent is directed to consider of the representation of the petitioner dated 08.04.2024 and pass appropriate orders on merits and in accordance with law, after issuing notice to the interested persons. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this Order.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[A.D.J.C., J.] [R.K.M., J.]
08.05.2024

dhk
Internet : Yes
Index : Yes/No



WP No. 13166 of 2024

To

WEB COPY

1. The Commissioner,
Greater Corporation of Chennai,
Rippon Building, Chennai – 600 003.
2. The Assistant Engineer,
Chennai Corporation Zone 5,
No.9, Chidambaram 7th Street, Basin Bridge,
Chidambaram Nagar, Chennai – 600 001.
3. The Executive Engineer,
Chennai Corporation Zone 5,
No.9, Chidambaram 7th Street, Basin Bridge,
Chidambaram Nagar, Chennai – 600 001.
4. The Chairman,
TANGEDO, 144, NPKRR Maaligai,
Anna Salai, Chennai – 600 002.
5. The Assistant Executive Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd.,
No.8, Cemetery Road,
33/11 KV Anna Park SS [in Camps],
RSRM Hospital Opposite, Royapuram,
Chennai – 600 013.
6. The Executive Engineer / O & M.,
Public Information Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vyasarpadi, CEDC / North, Chennai – 600 039.
7. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai, Chennai – 600 0034.



WEB COPY



WP No. 13166 of 2024

A.D.JAGADISH CHANDIRA, J.
and
R. KALAIMATHI, J.

dhk

8. The Joint Commissioner, Chennai – I,
Hindu Religious & Charitable Endowments Department,
No.128, Yadaval Street, Paadi, Chennai – 600 050.
9. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
No.128, Yadaval Street, Paadi, Chennai – 600 050.
10. The Executive Officer,
Arulmigu Tullirkana Muthu Mariamman Aalayam [TM000541],
Office at : Arulmigu Varadaraja Manaval Magumuni Temple,
No.38, Varadha Muthaippan Street, Chennai – 600 001.
11. The Inspector of Police,
Royapuram Police Station, Chennai.

WP No.13166 of 2024

08.05.2024