



W.P.No.29147 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.29147 of 2024

and

W.M.P.No.31822 of 2024

Gunasekaran

Vs.

...Petitioner

1. The District Collector,
Collectorate,
Thiruvallur District.
2. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Thiruvallur Taluk and District.
3. The Assistant Commissioner,
HR & CE Department,
Thiruvallur District.
4. A/m.Shri Varatharaja Perumal Kovil,
Rep. by its Trustee,
No.90, Ayathoor Village,
Thiruvur Post,
Thiruvallur Taluk & District.
5. The Tahsildar,
Taluk Office,
Tiruvallur Taluk & District.
6. The Inspector of Police



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Sevaipettai Police Station,
Thiruvallur District.

WEB COPY

7. A.Gowri Sankar

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents No.2 to 6 to implement the 2nd respondent's order, Na.Ka.1097/2023/A1, dated 25.05.2023 under the supervision of the 1st respondent and to open the temple of A/m.Varadha Raja Perumal Koil and A/m.Sundara Vinayagar Temple, Ayathur Village, Veppampattu, Post and also to permit the petitioner to use the God's Vehicles such as namely “Simma vehicle, Karuda Vehicle, Eli Vehicle & Kudirai Vehicle and Thiruvallur District for convenience of the Village people to worship the God.

For Petitioner : M/s.P.Vijendran

For RR 1, 2 & 5 : Mr.U.Baranidharan

R4 and R7 : Mr.S.Ananth

R6 : Mr.L.Baskaran, GA(CrI.Side)

ORDER

This writ petition has been filed seeking to direct the respondents 2 to 6 to implement order passed by the second respondent in Na.Ka.1097/2023/A1, dated 25.05.2023 under the supervision of the 1st respondent and to open the temple of A/m.Varadha Raja Perumal Koil and



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A/m.Sundara Vinayagar Temple and also to permit the petitioner to use the God's Vehicles such as “Simma vehicle, Karuda Vehicle, Eli Vehicle & Kudirai Vehicle and Thiruvallur District for convenience of the Village people to worship the God.

2. Since no adverse order has been passed against the third respondent, notice to the third respondent is dispensed with.

3. It is the case of the petitioner that the brother of the petitioner's grandfather namely Sridhar Raj was in possession and enjoyment of several extent of properties situated in Ayathur Village, Thiruvallur. Thereafter, he donated the said properties in favour of A/m.Varadharaja Perumal Koil and A/m.Sundara Vinayagar Temple. After the demise of the said Sridhar Raj, the petitioner came to know that the seventh respondent by way of forged documents has mutated the revenue records as if the said Sridhar Raj has sold the temple properties in favour of the seventh respondent. Hence, the petitioner made a complaint before the law enforcing agency. Thereafter, the matter was referred to the second respondent. Subsequently, the second respondent vide proceedings dated 25.05.2023 recommended the third



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respondent to handover the said properties in favour of the petitioner in order to maintain the temples. Since no order has been passed by the third respondent, the present writ petition has been filed.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that this Court may issue a direction to the third respondent to implement the proceedings dated 25.05.2023 of the second respondent within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents 1, 2 and 5 submits that the third respondent will pass appropriate orders on the proceedings of the second respondent dated 25.05.2023 within the time frame that may be stipulated by this Court.

6. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the third respondent to pass appropriate orders on the recommendation made by the second respondent



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dated 25.05.2023 and after affording an opportunity of hearing to the petitioner as well as the aggrieved persons if any within a period twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above observation and directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.10.2024

rap
Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

M.DHANDAPANI, J.

rap

To:

5/6



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