



W.P.No.23571 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM:

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

W.P.No.23571 of 2017

A.Radhakrishnan

...Petitioner

Vs.

1. The Secretary to Government,
Government of Tamil Nadu,
Hindu Religious & Charitable Endowments,
Chennai – 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments,
Chennai – 600 034.
3. The District Collector,
Salem.
4. The Sub Division Excessive Magistrate/
Revenue Divisional Officer,
Salem.
5. The Commissioner of Police,
Salem City.
6. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Salem.



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7. The Assistant Commissioner,
HR & CE Department,
Salem.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 3, 4, 5 & 7 have to convey joint meeting to retrieve the lands belonging to Arulmigu Sendraya Perumal Thirukoil situated at Narasothipatti, Salem Taluk & District in continuation of the proceedings held by the 4th respondent in Na.Ka.No. 1789/2016.Aa2 dated 04.08.2017 and 1789/2016.Aa2 dated 07.08.2017 and also considering petitioner's representation dated 07.08.2017.

For Petitioner : Mr.A.Radhakrishnan (P-I-P)

For Respondents : Mr.NRR.Arun Natarajan, Spl.GP

ORDER

This Writ petition has been filed seeking direction to the respondents 3, 4, 5 & 7 to convey joint meeting to retrieve the lands belonging to Arulmigu Sendraya Perumal Thirukoil situated at Narasothipatti, Salem Taluk & District in continuation of the proceedings held by the 4th respondent in Na.Ka.No. 1789/2016.Aa2 dated 04.08.2017 and 1789/2016.Aa2 dated 07.08.2017 and also by considering the petitioner's representation dated 07.08.2017.



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2. The case of the petitioner is that, he is an ardent devotee of Arulmigu Sendraya Perumal Thirukoil situated in Narasothipatty, Salem West taluk & District. Since a larger extent of temple lands were illegally encroached by the third parties, the petitioner made a representation before the Hon'ble Chief Justice of this Court and the same was forwarded to the 3rd respondent, who in turn, vide proceedings dated 09.05.2012, directed the 4th respondent to take appropriate action to retrieve the temple lands. Pursuant to the same, though there took place several correspondence in between the officials and though several meetings have been conveyed, no action has been initiated against the encroachers and till date, the temple lands have not been retrieved. Thereby, the petitioner made a detailed representation dated 07.08.2017 before the Chief Minister special cell, which was also forwarded to the respondents herein. However, till date, no orders have been passed on the same. Hence, the petitioner has come up with this writ petition

3. Though very many grounds have been raised, the petitioner/party in person submitted that, it would suffice if this Court issues direction to the respondents 3, 4, 5 & 7 and also the jurisdictional Tahsildar to convey joint



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meeting to retrieve the temple lands in continuation of the proceedings held by the 4th respondent in Na.Ka.No.1789/2016.Aa2 dated 04.08.2017 and 1789/2016.Aa2 dated 07.08.2017, by considering the petitioner's representation dated 07.08.2017.

4. Learned Special Government Pleader appearing on behalf of the respondents submitted that, there are two sets of temple lands, and already one set of lands were retrieved and the other set of lands will also be retrieved and he fairly submitted that, appropriate orders will be passed on the petitioner's representation dated 07.08.2017 within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents 2, 3, 6 & 7 to consider the petitioner's representation dated 07.08.2017 on merits and in accordance with law and pass appropriate orders for retrieval of the temple lands, if not retrieved already, within a period of six weeks weeks from the date of receipt of a copy of this order, after conducting appropriate enquiry



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by affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

6. With the above directions, this Writ petition stands disposed of. No costs.

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skt

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

To:

1. The Secretary to Government,
Government of Tamil Nadu,
Hindu Religious & Charitable Endowments,
Chennai – 600 009.
2. The Commissioner,
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3. The District Collector,
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5. The Commissioner of Police,
Salem City.
6. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
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