



W.P.No.34877 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

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A.Radhakrishnan

.. Petitioner

Vs

- 1 The Secretary to Government
Revenue Department Secretariat
Chennai - 600 009
- 2 The Secretary to Government
Environment and Forests Department
Secretariat, Chennai - 600 009.
- 3 The Commissioner of Revenue Administration
Chepauk, Chennai - 600 005.
- 4 The Secretary
Animal Welfare Board
Thiruvanmiyur
Chennai - 600 041.
- 5 The District Executive Magistrate/Collector,
Salem - 636 001.



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- 6 The Taluk Executive Magistrate/Tahsildar
Manakadu, Salem – 7.
- 7 The Commissioner of Police
Line Medu, Salem - 636 006.
- 8 The Deputy Inspector General of Police
Salem - 636 007.
- 9 The Superintendent of Police
Prohibition and Enforcement Wing
Salem.
- 10 The Deputy Superintendent of Police
Q Branch CID, Vellur.
- 11 The Conservator of Forests
Kumarasampatti, Salem - 636 007.
- 12 The Divisional Officer
Fire and Rescue Department
Sankar Nagar, Salem – 636 007.
- 13 The Assistant Director of Survey and Land Records
Collectorate, Salem - 636 001.
- 14 The Assistant Director of Panchayats
Collectorate, Salem - 636 001.
- 15 The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Arulmigu Kottai Mariamman Temple Campus
Salem - 636 001.
- 16 The Tourism Officer
Collectorate,
Salem - 636 001.



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17 The Superintending Engineer
Highways Department
Constructions and Maintenance Wing
Kuranguchavadi, Salem - 636 005.

18 The Superintending Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Udayapatty, Salem - 636 014.

19 The District Environmental Engineer
Tamil Nadu Pollution Control Board
Meyyanur, Salem - 636 005.

20 The Present Administrator
Arulmigu Irutukal Muniappan Temple
Valaiyakaranur, Salem Taluk and District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 5th respondent to constitute a committee consisting of all the relevant officials to protect the interest of 20th respondent temple and surrounding forests area by considering petitioner's representation dated 05.06.2022.

For the Petitioner : No appearance

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 to 6, 11 to
14 and 17 to 19

: Mr.N.R.Arun Natarajan
Special Government Pleader
for respondents 15 and 20



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: Mr.R.Muniyapparaj
Addl. Public Prosecutor
for respondents 7 to 10

ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

There is no representation on behalf of the petitioner (party in person). Heard Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1 to 6, 11 to 14 and 17 to 19; Mr.N.R.Arun Natarajan, learned Special Government Pleader for respondents 15 and 20; and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for respondents 7 to 10.

2. The prayer in the writ petition is to safeguard the interest of the 20th respondent temple and the surrounding forest area on the basis of the representation of the petitioner dated 5.6.2022. The allegation made by the petitioner in the said representation is that the forest land is being encroached and the temple properties are not maintained properly.

3. Learned State Government Pleader refuted the allegations



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made in the writ petition.

4. Learned Special Government Pleader appearing on behalf of the Hindu Religious and Charitable Endowments Department submitted that the temple in question is not under the control of the Hindu Religious and Charitable Endowments Department and the same is a private temple.

5. In view of the divergent stand taken by the parties, we are inclined to direct respondents 1, 2 and 15 to consider the representation of the petitioner dated 5.6.2022 and pass appropriate orders purely on merits and in accordance with law, preferably within twelve weeks.

The writ petition is disposed of accordingly. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)
06.06.2024

Index : Yes/No
NC : Yes/No
sasi



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THE HON'BLE ACTING CHIEF JUSTICE
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MOHAMMED SHAFFIQ,J.

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