



WEB COPY



W.P.No.35529 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.35529 of 2024

S.Thiagarajan

...Petitioner

Vs.

1. The Commissioner,
The Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
2. The Joint Commissioner,
Division- 1 Chennai,
The Hindu Religious and Charitable Endowments Department,
College Road, Chennai 600 006.
3. The Executive Officer,
The Arulmigu Arunaleswarar and Varadaraja Perumal Temple,
No.24, Palliappan Street, Chennai - 600 079.
4. Sathya
5. Kanchana
6. Esther
7. Vishwanathan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to consider his representation dated 10.10.2024, and take necessary action as against Sathya, kanchana, Esther and Viswanathan viz., respondents 4 to 7 for illegal trespass over the two shops facing the road and two residential portions in the rear at No.115, Anna Pillai Street, which belongs to Arunachaleswarar and Varadaraja



W.P.No.35529 of 2024

Perumal Tirukovil and to retrieve the property and handover the same to the temple otherwise the respondents would acquire the entire property illegally.

For Petitioner : Mr.J.Chandran Sundar Sashikumar

For R1 to R3 : Mr.NRR.Arun Natarajan
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the first respondent to consider his representation dated 10.10.2024 and take necessary action against the respondents 4 to 7 who are allegedly in illegal possession of the third respondent temple property.

2. It is the case of the petitioner that the private respondents 4 to 7 are in illegal possession of temple property situated in No.115, Anna Pillai Street, Sowcarpet, Chennai. In this regard, the petitioner submitted a representation before the first respondent on 10.10.2024 seeking action against the respondents 4 to 7 and the same has not been considered till date. Therefore, the petitioner is before this Court.

3. Mr.NRR.Arun Natarajan, learned Special Government Pleader who



W.P.No.35529 of 2024

takes notice for the respondents 1 to 3, on written instructions, submitted that already third respondent issued a notice against two persons and necessary action will be taken by way of considering the petitioner's representation, in respect of the other persons in possession, if any.

4. In view of the above submission made by the learned Special Government Pleader, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to forward the representation of the petitioner dated 10.10.2024 to the second respondent. The second respondent shall consider the same and pass final orders, on it's own merits, in accordance with law within a period of eight weeks from the date of receipt of copy of the order.

5. With the above direction, this Writ Petition is disposed of.
No costs.

28.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
av

S. SOUNTHAR, J.



W.P.No.35529 of 2024

av

WEB COPY

1. The Commissioner,
The Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
2. The Joint Commissioner,
Division- 1 Chennai,
The Hindu Religious and Charitable Endowments Department,
College Road, Chennai 600 006.
3. The Executive Officer,
The Arulmigu Arunaleswarar and Varadaraja Perumal Temple,
No.24, Palliappan Street, Chennai - 600 079.

W.P No.35529 of 2024

28.11.2024