



W.P.(MD) No.3831 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.3831 of 2023
and
W.M.P.(MD) No.3614 of 2023**

K.Jothibasu

... Petitioner

/vs./

- 1.The Commissioner,
T.N. Hindu Religious Charitable and Endowments Department,
Nungambakkam Road,
Chennai.
- 2.The Joint Commissioner,
T.N. Hindu Religious Charitable and Endowments Department,
West Avani Moola Street,
Madurai 625 001.
- 3.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 4.The Sub Registrar,
Office of the Sub Registrar,
Thirupparankundram Sub Registration Office,
Madurai District.



W.P.(MD) No.3831 of 2023

WEB COPY 5.P.Mayandi

6.P.Rajamani

7.S.Nagaraj

8.V.Paramasamy

9.K.Chinnakannu Thevar

10.G.Ananthan

11.Arulmigu Madanagopalaswamy Temple,
Madurai, through its Executive Officer,
Mela Masi Street, Madurai 625 001.

*(R10 and R11 have been impleaded vide
Court order dated 23.02.2024)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 2 to take action against the respondents 5 to 9 who are selling the temple properties in favour of third parties by considering petitioner representation dated 09.12.2021 and 19.01.2023 within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran

For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

For R5 & R7 : Mr.S.Poorna Chandran



WEB COPY

W.P.(MD) No.3831 of 2023

For R6, R8 & R9 : Died

For R10 : Mr.V.S.Kishok Kumar

For R11 : Mr.S.Manohar

ORDER

The petitioner has filed this Writ Petition for a Mandamus to direct the respondents 1 and 2 to take action against the respondents 5 to 9, who sold the temple properties to third parties, by considering the petitioner's representations dated 09.12.2021 and 19.01.2023.

2.The petitioner claims to be a poosari of the 11th respondent temple. According to the petitioner, the private respondents 5 to 10 have wrongly occupied the properties of the 11th respondent temple. Hence, the petitioner has sent representations dated 09.12.2021 and 19.01.2023 to the respondents 1 and 2 to take action against them. Some of the private respondents, who have been subsequently impleaded before this Court, would submit that they are the owners of the property and have a decree of civil in their favour. These are the matters, which can be looked into by the respondents 1 and 2.



WEB COPY

W.P.(MD) No.3831 of 2023

3.It is informed by the learned counsel for the 10th respondent, who is the subsequent purchaser of the property, that the respondents 6, 8 and 9 have already died even before the filing of the writ petition.

4.Considering the same, the Writ Petition is disposed of by directing the respondents 1 and 2 to consider and pass appropriate orders on the aforesaid representations of the petitioner after hearing the petitioner, after due notice to the private respondents as also the 11th respondent temple and the legal heirs of the respondents 6, 8 and 9. This exercise may be carried out by the respondents 1 and 2 as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
mm

05.04.2024



W.P.(MD) No.3831 of 2023

WEB COPY

To

- 1.The Commissioner,
T.N. Hindu Religious Charitable and Endowments Department,
Nungambakkam Road,
Chennai.
- 2.The Joint Commissioner,
T.N. Hindu Religious Charitable and Endowments Department,
West Avani Moola Street,
Madurai 625 001.
- 3.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 4.The Sub Registrar,
Office of the Sub Registrar,
Thirupparankundram Sub Registration Office,
Madurai District.



WEB COPY



W.P.(MD) No.3831 of 2023

C.SARAVANAN, J.

mm

W.P.(MD) No.3831 of 2023

05.04.2024