



W.P.(MD)No.6498 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.6498 of 2024

V.Rathinakiri

... Petitioner

Vs.

- 1.The Special Commissioner,
Hindu Religious and Charitable Endowments,
Uthamar Gandhi Salai,
Nungampakkam,
Chennai – 600 034.
- 2.The District Revenue Officer,
Sivagangai District,
Collectorate,
Sivagangai – 630 562.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Thiruppathur Road,
Sivagangai – 630 562.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Thiruppathur Road,
Sivagangai – 630 562.
- 5.The Devasthanam Manager,
Sivagangai Samasthanam Devasthanam,
Sivagangai – 630 561.



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6. Muthuvalliyappan

7.Kannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to consider the representation given by the petitioner on 07.09.2023 and made enquiry on the petitioner's representation as per the first respondent communication in Oo.Mu.No.87676-2/2023/V3 dated 25.09.2023 and pass orders within a time frame as fixed by this Court.

For Petitioner : Mr.M.Karuppasamy

For R-1 to R-4 : Mr.P.Subba Raj
Special Government Pleader

For R-5 : Mr.S.Mathavan

ORDER

This Writ Petition is filed praying for a Mandamus, directing the third respondent to consider the petitioner's representation dated 07.09.2023 and make enquiry as per the first respondent communication dated 25.09.2023.

2. It is submitted by the learned counsel for the petitioner that the temple land belonging to Arulmozhinatha Swamy Thirukovil, Sholapuram is used for



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religious purpose and patta ought to be in the name of the said temple, instead patta has been issued in the name of private parties viz., the 6th and 7th respondents herein. The fifth respondent, despite being aware, has not taken any action against the respondents 6 and 7. Under such circumstances, the petitioner submitted a representation dated 07.09.2023 to the respondent authorities, including the third respondent seeking to take action against sixth and seventh respondents. Pursuance thereto, the first respondent has sent a communication dated 25.09.2023 to the petitioner stating that the representation of the petitioner has been forwarded to the third respondent for taking appropriate action. Since no action was taken by the respondent authorities, the present petition is filed.

3. When the matter was taken up for hearing, the learned Special Government Pleader for respondents 1 to 4 would submit that the representation of the petitioner would be considered and orders would be passed by the third respondent in accordance with law, within a period stipulated by this Court and the same is acceded to by the learned counsel for the petitioner.



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4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 07.09.2023, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and all other interested parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

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

02.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

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MOHAMMED SHAFFIQ, J.

Nsr

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