



W.P.No.14730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 24.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.14730 of 2025

S.RAVI

... Petitioner

Vs

THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT,
MAHATMA GANDHI ROAD,
NUNGAMBAKKAM, CHENNAI - 600 034.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent to consider petitioner's representation dated 19.11.2024 for recall of respondents order dated 16.12.2021.

For Petitioner : Mr.L.Murali Krishnan

For Respondent : Mr.S.Ravichandran
Additional Government Pleader

ORDER

This writ petition is filed to direct the respondents to consider the petitioner's representation dated 19.11.2024. By the said representation, the petitioner prays to recall the order of the respondent dated 16.12.2021.



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WEB COPY 2. By the order dated 16.12.2021, the Commissioner had addressed a communication to the jurisdictional Sub-Registrar not to entertain the sale deeds in respect of the properties mentioned therein, claiming the properties to be those of the Periyapalayam Arulmigu Dadu Guru Samiyar Madam, which is attached to the Periyapalayam Arulmigu Bhavani Amman Temple.

3. The learned counsel appearing for the petitioner submitted that the patta stands in the name of an individual, namely Thathu Guru Samy, who is the predecessor in title of the petitioner. There is absolutely no document whatsoever to prove that the property belongs to the mutt. Therefore, the petitioner has made the present representation to recall the earlier order. The Commissioner has passed the order without hearing the petitioner and only on the basis of the report submitted by the subordinate officials.

4. When the matter came up for hearing, the learned Additional Government Pleader appearing for the respondent submitted that the petitioner's father was the Dharmakarthha of the said temple. While so, along with the private properties, properties belonging to the mutt were also included in the patta. Therefore, objections were raised. It is also stated that



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one of the legal heirs, namely one V. Ramesh Vasan, has also filed a suit in respect of the very same property in O.S. No.666 of 2022 on the file of the District Court, Thiruvallur and a written statement has also been filed asserting the title.

5. When the matter is already pending before the Civil Court, at this stage there is no question of the Commissioner once again recalling the order. If the petitioner is also aggrieved, the petitioner can get impleaded in the said suit filed by the other person or if the petitioner wants to assert title against the temple, the petitioner can also file a civil suit asserting their own title.

6. With the aforesaid liberty reserved to the petitioner, the prayer in the writ petition cannot be countenanced and accordingly the writ petition stands disposed of. No costs.

24.04.2025

Neutral Citation: Yes/No
nsl



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To

THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT,
MAHATMA GANDHI ROAD,
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D.BHARATHA CHAKRAVARTHY, J.

nsi

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