



W.P.No.38657 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38657 of 2024

K.Sivaprakasam

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-34.

2. The Executive Officer,
Arulmighu Sri Veereswara Temple,
Anthiyur, Erode.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking issuance of Writ of Mandamus, directing the first respondent to consider and respond by way of specific reply (through a speaking order) to the representation dated 19.10.2024 followed by reminder dated 20.11.2024 made in respect of acquisition of Arulmighu Sri Veereswara Temple, Anthiyur, Erode.

For Petitioner : Mr.D.Baskar



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For Respondents : Mr.N.R.R.Arun Natarajan, Special Govt. Pleader

ORDER

The petitioner herein seeks a direction to the first respondent to consider his representation dated 19.10.2024 and respond by way of specific reply in respect of objection made by the petitioner to the acquisition of lands belonging to Arulmighu Sri Veereswara Temple, Anthiyur, Erode District.

2. It is the case of the petitioner that the Government has issued land acquisition order with regard to the acquisition of temple lands for construction of Arts College and the same was objected by the petitioner on the ground that the land of the temple cannot be acquired. The petitioner submitted a representation on 19.10.2024 making his objection for acquisition of temple land for the purpose of construction of Arts College and the same has not been considered. Hence, he has come before this Court.



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3. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader, takes notice for the respondents 1 and 2 and based on the written instruction of the second respondent in his letter dated 02.01.2025 would submit that the Executive Officer already submitted his objection dated 14.10.2024 to the land acquisition officer.

4. A perusal of the above objection of the Executive Officer dated 14.10.2024 would suggest that the second respondent already objected to the acquisition of the temple land by relying on the orders passed by this Court in suo motu Writ Petition No.574/2015 that the public purpose theory cannot be invoked against the temple lands.

5. In view of the fact that the second respondent already objected to the land acquisition of the temple lands before the competent authority, namely the Land Acquisition Officer, no further orders are necessary in this writ petition.



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6. Accordingly, this writ petition is disposed of. There shall be no order as to costs. However, it is open to the petitioner to explore remedies available under law in respect of acquisition of land, if he is so advised.

02.01.2025

Index:Yes/No
Internet:Yes/No
mst

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-34.
2. The Executive Officer,
Arulmighu Sri Veereswara Temple,
Anthiyur, Erode.



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S.SOUNTHAR, J.

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