



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Fifteenth day of February Two Thousand Twenty Two

PRESENT

THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

and

THE HON`BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP.No.2239 of 2022

T.ELANGO, [PETITIONER]
S/O.THIRUNAVUKKARASU, PLOT NO.63,
DOOR NO.1, 3RD CROSS STREET,
THILLAI NAGAR, KOLATHUR, CHENNAI-600 099.

Vs

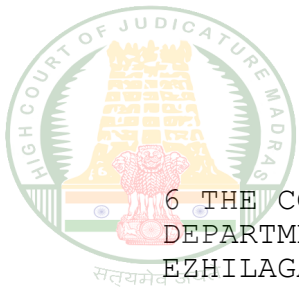
1 UNION OF INDIA, [RESPONDENTS]
REP. BY ITS JOINT SECRETARY,
DEPARTMENT OF HOME AFFAIRS (DISASTER MANAGEMENT)
NORTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI-110 001.

2 THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF CULTURE, 502 C, SHASTRI BHAWAN,
NEW DELHI-110 015.

3 THE STATE OF TAMIL NADU,
REP. BY ITS ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
LAND ADMINISTRATION WING 1(2) SECTION, FORT ST.GEORGE,
CHENNAI-600 009.

4 THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY
(IN THE RANK OF ADDITIONAL CHIEF SECRETARY)
DEPARTMENT OF TOURISM, CULTURE AND RELIGIOUS ENDOWMENTS,
GOVERNMENT OF TAMIL NADU, FORT ST.GEORGE, CHENNAI 600 009.

5 THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
MAHATMA GANDHI ROAD, NUNGAMBAKKAM, CHENNAI-600 006.



6 THE COMMISSIONER,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
EZHILAGAM, CHEPAUK, CHENNAI-600 005.

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7 THE PRINCIPAL SECRETARY AND COMMISSIONER OF
LAND ADMINISTRATION, GOVERNMENT OF TAMIL NADU,
EZHIZHALAGAM, CHEPAUK, CHENNAI-600 005.

Writ Petitions and miscellaneous petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to pass orders, directions or writs in particular a WRIT OF DECLARATION, Declaring that the respondents are constitutionally bound under Articles 25 and 26 of the Constitution of India, to draw a scheme for regularisation or re-location of the Hindu Temples or any religious structures in the state which has been built on poramboke lands either objectionable or un objectionable for removal of encroachments either under the National Disaster Management Act, 2005 or under the Tamil Nadu Land Encroachment Act, 1905 or under any other law and issue such further or any other orders or directions deemed fit and proper in the facts and circumstances of this case (in WP.No.2239 of 2022).

Order : This petition coming on this day for haering upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.J.SAI DEEPAK, Advocate for MR.K.EASWAR, Advocate for the petitioner and of MR.J.RAVINDRAN, Additional Advocate General assisted by MR.P.MUTHUKUMAR, State Government Pleader on behalf of the 3, 6 and 7 Respondents and of MR.P.S.RAMAN, Senior Counsel for MR.T.CHANDRASEHARAN, Special Government Pleader (HR & CE) for the 4th and 5th Respondents, the court made the following order:-

Let a counter/status report be filed by the respondents. At this stage, we are not commenting on the issue and otherwise, the petitioner should be restrained to publish any news pertaining to the present litigation.

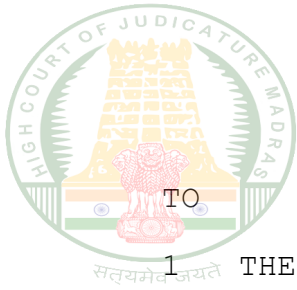
List on 25.02.2022.

-sd/-

15/02/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

1 THE JOINT SECRETARY,
UNION OF INDIA, DEPARTMENT OF HOME AFFAIRS
(DISASTER MANAGEMENT) NORTH BLOCK,
CENTRAL SECRETARIAT, NEW DELHI-110 001.

2 THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF CULTURE, 502 C, SHASTRI BHAWAN,
NEW DELHI-110 015.

3 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU, DEPARTMENT OF REVENUE AND
DISASTER MANAGEMENT, LAND ADMINISTRATION WING 1(2) SECTION,
FORT ST. GEORGE, CHENNAI-600 009.

4 THE SECRETARY,
(IN THE RANK OF ADDITIONAL CHIEF SECRETARY)
THE STATE OF TAMIL NAUD, DEPARTMENT OF TOURISM,
CULTURE AND RELIGIOUS ENDOWMENTS,
GOVT. OF TAMIL NADU, FORT ST. GEORGE, CHENNAI-600 009.

5 THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
MAHATMA GANDHI ROAD, NUNGAMBAKKAM, CHENNAI-600 006.

6 THE COMMISSIONER,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
EZHILAGAM, CHEPAUK, CHENNAI-600 005.

7 THE PRINCIPAL SECRETARY AND
COMMISSIONER OF LAND ADMINISTRATION,
GOVERNMENT OF TAMIL NADU, EZHIZHALAGAM,
CHEPAUK, CHENNAI-600 005.

Order

in
WP.No.2239 of 2022

Date :15/02/2022

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PA (17/02/2022)