

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.23139 of 2015

and

M.P.No.1 of 2015

R.Subhash Chandra Bose .. Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tanjore District.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thiruvarur District.

4. The Executive Officer,
Vethapureeshwarar Thirukovil,
Naemam, Thiruvarur.

5.S.G.M.Ramesh

6.S.G.M.Lenin

7.S.G.M.Boobash

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the second to fourth respondents to dispose the petitioner's representation dated 01.04.2015 as per the direction of the 1st respondent's proceedings in Omu.No.15317/2015/R1 dated 23.04.2015 to recover the land and hand over the same to the petitioner on recovering compensation fixed by the respondents for damaging the property by the encroachers on merits.

For Petitioner .. Mr.V.Subbarayan
For Respondents .. Mr.P.Sanjay Gandhi,
Spl. Govt. Pleader (HR & CE)
for R1 to R4
Mr.R.Muruga Bharathi
for R5 to R7

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.The only relief sought for by the petitioner in this writ petition is a direction to respondents 2 to 4 to dispose of the petitioner's representation dated 01 April 2015, wherein, an allegation of encroachment has been levelled against the respondents 5 to 7.

3.Learned Special Government Pleader appearing for respondents 1 to 4 would submit that taking note of the said representation, notices have been issued to the alleged encroachers under the provisions of Section 78 of Hindu Religious and Charitable Endowments Act and the official respondents may be granted reasonable time to conclude the enquiry and take necessary action, after affording an opportunity of hearing to respondents 5 to 7.

4.Learned counsel appearing on behalf of respondents 5 to 7 submits that necessary representation will be made before the authorities.

5.Considering the submissions made by the learned counsel for the parties, we dispose of the writ petition, directing the second respondent to complete the proceedings within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

mmi

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,

No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tanjore District.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thiruvavarur District.
4. The Executive Officer,
Vethapureeshwarar Thirukovil,
Naemam, Thiruvavarur.

+ 1 cc to Mr.R.Murugabharathi, Advocate SR 66028

+ 1 cc to Govt.Pleader SR 66053

+ 1 cc to Mr.V.Subbarayan, Advocate 66710

vsn(co)
prk22/12

W.P.No.23139 of 2015



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