

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.34640 of 2015

S.Sakthivel

.. Petitioner

Vs.

- 1 The Joint Commissioner
(HR&CE) Hindu Religious and Charitable
Endowments Department Salem.
 - 2 The Assistant Commissioner
(HR & CE) Hindu Religious and Charitable
Endowments Department Namakkal
 - 3 The Special Officer/District
Revenue Officer (Temple Lands) Coimbatore-
18.
 - 4 Tahsildar
Sendhamangalam Taluk Namakkal District.
 - 5 The District Revenue officer Namakkal
 - 6 The Collector Namakkal District.
 - 7 Executive Officer
Arulmighu Sri Varadaraja Perumal Temple
Pavithram Village Sendhamangalam Taluk
Namakkal District.
- ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st Respondent herein The Joint Commissioner HR & CE Salem to make the necessary corrections and rectify the errors and defects in the revenue records and consequently pass appropriate Final Orders in respect of the representation of the Petitioner dated 01.10.2015 in favour of the 7th Respondent vide Arulmighu Sri Varadaraja Perumal Temple Pavithram Village (Erstwhile Namakkal Taluk) at Senthamangalam Taluk Namakkal District in respect of the temple lands comprised in Old S.F.No: 136/1 - New

Nos: 461/1 to 14 measuring to an extent of 0.97

cents within a reasonable timeframe as fixed by this Honorable Court taking into account and based on the Letter and report of the 3rd Respondent vide the Special Officer/District Revenue Officer, (Temple Lands) Coimbatore-18, vide the O.M. No.357/12 Maa. Va.Aa (Aa.Ni) dated 08.10.2012 and also pursuant to the Decree obtained in the Civil Court which has attained it's finality in favour of the 7th Respondent dated 23.12.1999 by the Additional District Munsif Court, Namakkal.

For Petitioner : Mr.Jagannath Badrinath
For Respondents 1,2 & 7 : Mr.P.Sanjay Gandhi,AGP
For R3 to R6 : Mrs.P.Rajalakshmi
Government Advocate

ORDER

Petitioner made a representation to respondent No.1 alleging that private party is in illegal possession of the property belonging to 7th respondent. As no action is forthcoming, the present writ petition has been filed.

2. Taking into consideration of the pendency of the representation of the petitioner dated 01.10.2015, a direction is issued to respondents to pass appropriate orders on the same and take appropriate action in accordance with law by invoking Section 78 of Hindu Religious and Charitable Endowments Act, if there is any encroachment, within a period of three months from the date of receipt of a copy of this order by following due procedure of law.

3. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1

The Joint Commissioner
(HR&CE) Hindu Religious and Charitable
Endowments Department Salem.

- 2 The Assistant Commissioner
(HR & CE) Hindu Religious and Charitable
Endowments Department Namakkal
- 3 The Special Officer/District
Revenue Officer (Temple Lands) Coimbatore-18.
- 4 Tahsildar
Sendhamangalam Taluk Namakkal District.
- 5 The District Revenue officer, Namakkal
- 6 The Collector, Namakkal District.
- 7 Executive Officer
Arulmighu Sri Varadaraja Perumal Temple
Pavithram Village Sendhamangalam Taluk
Namakkal District.

+1 cc to Mr.B.Jaganath, Advocate (sr.58702)

+1 cc to The Government Pleader (sr.59459)

+ 1 cc to The Spl.Govt.Pleader (HR & CE) Hct, Mds-104.Sr 59916
(5/1/16)

W.P.No.34640 of 2015

ug (co)

cp 2/11/2015

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