

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.02.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.1994 of 2016
and
W.M.P.No.4873 of 2016

P.Govindaraj

..Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

3.The Revenue Divisional Officer,
Chengalpattu.

4.The Thasildar,
Thiruporur Taluk,
Kancheepuram District.

5.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam, Chennai - 34.

6.The Assistant Commissioner,
HR & CE Department,
Kancheepuram.

7.Veerapathira Naidu

8.Krishna Naidu

9.Devaraj

10.V.Venkatesan

..Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondents 1 to 6 to remove the encroachment made in the property of Arulmigu Sri Akilandeswari Udanurai Sri Agastheeswarar Thirukoil situated at 19, Pudhupakkam Village, Kancheepuram District by considering petitioner's representations dated 20.07.2013, 24.01.2014, 15.12.2014 and 07.11.2015.

For Petitioner .. Mr.M.Thanu

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 to R4
Mr.K.V.Dhanapalan,
Spl. Govt. Pleader (H.R. & C.E.)
for R5 and R6
Mr.B.Sivaraman for R7 to R10

ORDER

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

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

2.The petitioner, who is stated to be a resident of the area in question, has come up with this writ petition, seeking a direction to respondents 1 to 6 to remove the encroachment made in the property of Arulmigu Sri Akilandeswari Udanurai Sri Agastheeswarar Thirukoil situated at 19, Pudhupakkam Village, Kancheepuram District on the basis of representations dated 20.07.2013, 24.01.2014, 15.12.2014 and 07.11.2015.

3.In response to our notice, the fourth respondent has filed a counter affidavit dated 04 February 2016, stating that the dispute in respect of the ownership and grant of patta is pending consideration before the District Revenue Officer, Kancheepuram, at the instance of the fourth respondent, as initially the property in Survey No.227/10 belonged to the temple.

4.Be that as it may, since the dispute in respect of the nature of the property and grant of patta is pending consideration before the competent authority viz., District Revenue Officer, Kancheepuram, we are not inclined to interfere at this stage and pass any order. Accordingly, the writ petition

stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

mmi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.
- 3.The Revenue Divisional Officer,
Chengalpattu.
- 4.The Thasildar,
Thiruporur Taluk,
Kancheepuram District.
- 5.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam, Chennai - 34.
- 6.The Assistant Commissioner,
HR & CE Department,
Kancheepuram.

+ 4 ccs to Mr.B.Sivaraman, Advocate Sr 9457

+ 1 cc to Mr.M.Saravanakumar, Advocate Sr 9883

+ 1 cc to The Govt.Pleader, Sr 9618

+ 1 cc to R.Marudhachalamurthy, Advocate Sr 9541

+ 1 cc to The Govt.Pleader, (HR & CE) Sr 9509

KR/24/2/16

W.P.No.1994 of 2016