

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.13073 of 2012
and
M.P.Nos.1 and 2 of 2012

T.Kripashankar ... Petitioner

vs.

- 1.The Joint Commissioner,
The Hindu Religious Charitable and
Endowment Department,
Vellore-632 009.
- 2.The Executive Officer,
Arulmighu Kandhaswamy Temple,
Thiruporur,
Tamil Nadu. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records of the first respondent pertaining to the order dated 10.04.2012 bearing reference No.19-4/2012/E1 passed by the first respondent under Sections 78 & 79 of the Tamilnadu Hindu Religious and Charitable Endowments Act, 1959 for evicting the petitioner and quash the same and consequently directing the respondent not to evict the petitioner from the property situated at No.105, Thiruporur Village, Chengelpet Taluk, Kancheepuram District, comprised in Survey No.161/2 - 3 Acres and 161/5 - 32 cents.

For Petitioner : Mr.Hemkumar
for M/s.Ganesh & Ganesh

For Respondents : Mr.M.Maharajan
Spl. G.P.(HR&CE) for R1
Mr.A.K.Sriram
for M/s.A.S.Kailasam &
Associates - R2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The learned counsel for the second respondent states that the petitioner having been found an encroacher, possession of the land was taken from the petitioner two days prior to moving of the writ petition, as has been set out in the counter. The same is the stand of the first respondent.

2. The learned counsel for the petitioner states that on enquiry he found that the petitioner has passed away some time back. No application has been filed for impleadment of the legal heirs or whether they are interested in any relief more so since the possession has been taken.

3. The writ petition, accordingly, stands closed. No costs. Consequently miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To:

The Joint Commissioner,
The Hindu Religious Charitable and Endowment Department,
Vellore-632 009.

+1 cc to M/s.A.S.Kailasam & Associates, sr.70142.

ug(co)
krd 8/12

W.P.No.13073 of 2012

सत्यमेव जयते

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