

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.08.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.27856 of 2016

A.Radhakrishnan

... Petitioner

Versus

1.The Commissioner,
Hindu Religious and Charitable Endowment
Nungambakkam, Chennai 600 034.

2.The District Collector,
Salem District,
Salem.

3.The Joint Commissioner,
Hindu Religious and
Charitable Endowment,
Salem - 636001

4.V.P.Ramasamy
S/o.Paramasiva Gounder

5.Ramasamy
S/o.Velapopa Gounder

6.Subramani
S/o.Chidambaram Pillai.

सत्यमेव जयते

7.Saroja

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 to take action against the respondents 4 to 7 based on the representation dated 18.06.2015 of the petitioner seeking for taking action against the illegal encroachments of the properties owned by Arulmigu Chidambareeswarar and Ayyanarappan temples situated at Deviyakurichi Village, Attur Taluk, Salem District.

For Petitioner ::: Mr.A.Nagarathinam
For Respondents ::: Mr.Maharaja
Special Government Pleader
(HR & CE)
for R.1 and R.3
Mr.M.K.Subramanian
Government Pleader for R.2.

O R D E R

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

The petitioner is residing in Chennai and seeks to raise an issue about the temples in Salem without giving any detail as to what is the profession from which the petitioner earns his bread and butter.

2. Learned counsel for the petitioner seeks to contend that the petitioner was earlier resident of Salem that he has been raising the issue about the temples even in earlier petitions, but when asked to point out, admits that there are no averment in the writ petition!

3. We are not satisfied with the bona fides of the petition.

4. Learned counsel appearing for HR & CE Department states that in another writ petition W.P.No.10095 of 2013, directions have already been passed by this Court on 20.06.2016 for dealing with the issue of encroachment in the same survey number and to remove the alleged encroachments of temples or any unauthorised construction after notice to all concerned within a maximum period of three months from the date of receipt of the order. Thus, in any case, the issue sought to be raised is already covered.

5. The writ petition stands dismissed, leaving the parties to bear their own costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ksr

To

1.The Commissioner, Hindu Religious and Charitable Endowment
Nungambakkam, Chennai 600 034.

2.The District Collector, Salem District, Salem.

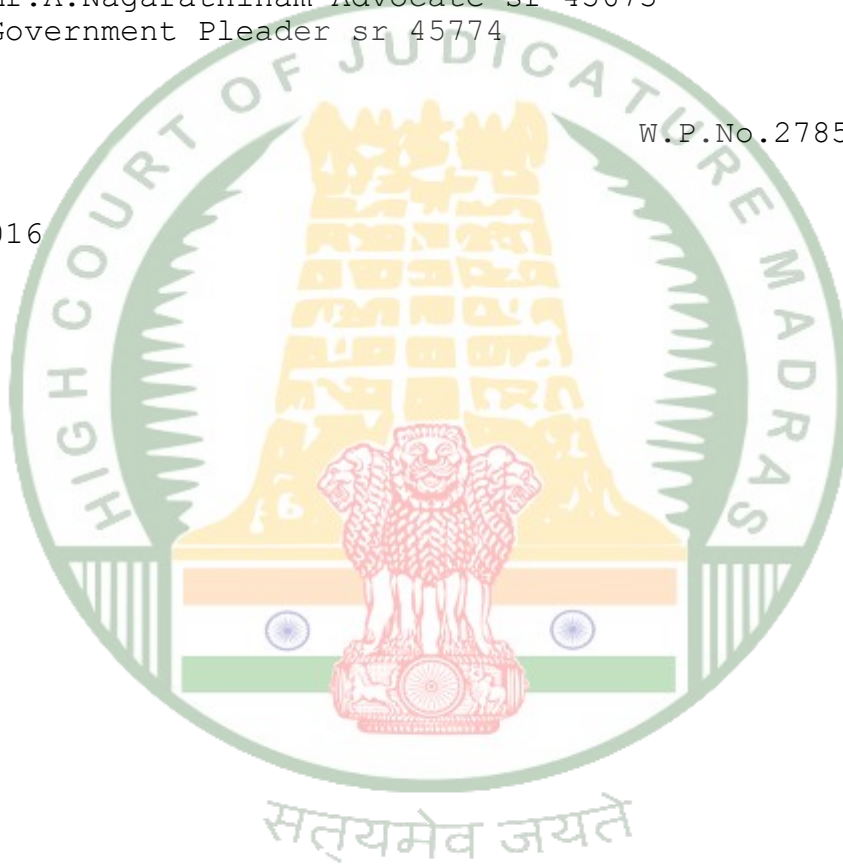
3.The Joint Commissioner, Hindu Religious and Charitable
Endowment,
Salem - 636001

+1 cc to Mr.A.Nagarathinam Advocate sr 45673

+1 cc to Government Pleader sr 45774

W.P.No.27856 of 2016

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