



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2016

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CORAM:

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.18847 of 2016
and

W.M.P (MD) Nos.13626 & 13627 of 2016

Vadivel

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandh Salai,
Nungampakkam,
Chennai - 600 032.

2. Tamil Nadu Newsprint and Papers Limited,
Rep. By its Officer (Legal),
Having its registered office
at No.67, Mount Road,
Guindy, Chennai - 600 032.

3. The Executive Officer,
Arulmigu Nellaiappar Arultharum
Gandhimathiamman Thirukovil,
Tirunelveli Town,
Tirunelveli.

4. The Sub-Registrar,
Gangaikondan,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of impugned Deed of Memorandum of understanding executed by the second and third respondent vide Document No.1224/2016 dated 14.07.2016 on the file of fourth respondent/Sub-Registrar, Gangaikondan, Tirunelveli District and quash the same as illegal and unjust in respect of lands in Survey No.639/1 and 648 of an extent of 1.03.5 Aers and 0.700 Aers respectively situated at Nallamalpuram Village, Thenkulam, Tirunelveli District and further direct the respondents 2 and 3 not to evict the petitioner without following law in respect of land in Survey No.639/1 and 648 of an extent of 1.03.5 aers and 0.700 aers respectively.



For Petitioner: Mr.A.Robinson

For RR 1 & 4 : Mr.J.Gunaseelan Muthiah
Government Advocate

For R - 2 : Mr.M.P.Senthil

For R - 3 : Mr.V.R.Shanmuganathan

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.

3.The petitioner is challenging memorandum of understanding entered between the second and third respondents.

4.According to the petitioner, he is in possession of land in dispute and without considering his right, the first respondent granted permission to the third respondent to enter into a memorandum of understanding with the second respondent to raise pulpwood trees and the second and third respondents entered into a memo of understanding. Challenging the memorandum of understanding, the present Writ Petition has been filed.

5.Admittedly, the land belongs to Temple and according to petitioner, he is only having a occupancy right. If at all the petitioner has any right, he can very well protect his right before the competent forum and the petitioner cannot challenge the memo of understanding by way of filing this Writ Petition.

6.In view of the above, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are also closed.

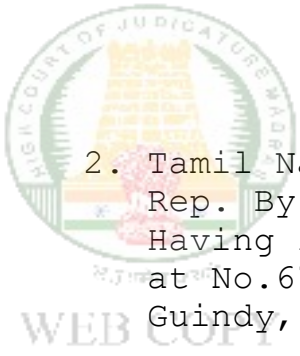
Sd/
Assistant Registrar(A.E.)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Commissioner,
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4. The Sub-Registrar,
Gangaikondan,
Tirunelveli District.

+1cc to M/S.M.P.Senthil, Advocate in SR.No.57841.

+1cc to Special Government Pleader
Madurai Bench of Madras High Court,
Madurai in SR.No.57485

W.P (MD) No.18847 of 2016
29.09.2016

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