

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.34168 of 2017
and
W.M.P.No.37954 of 2017

N.Vettrivel

..Petitioner

Vs

1. The Executive Officer,
Arulmigu Thirukachi Nambigal and
Varadaraja Perumal Thirukkoil,
Poonamallee, Chennai 600 056.

2. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034

..Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from demolishing the construction at Survey No.47/1, Ariyamandhanallur Village, Bearing No.14/38, Thiruvallur District before conducting an enquiry on the basis of the representation of the petitioner dated 22.12.2017.

For Petitioner : Mr.T.Gowthaman
For Respondents : Mr.M.Maharaja,
Special Government Pleader (HR&CE)

ORDER

(Order of the Court was made by M.S.Ramesh.,J)

The petitioner filed this writ petition praying for a writ of Mandamus, forbearing the respondents from demolishing the construction at Survey No.47/1, Ariyamandhanallur Village, Bearing No.14/38, Thiruvallur District before conducting an enquiry on the basis of the representation of the petitioner dated 22.12.2017.

2. Pursuant to the order of this Court dated 01.06.2015 in WP No.14044 of 2015, the land in Survey No.47/1, Ariyamandhanallur Village, Thiruvallur District, was directed to be surveyed and accordingly, the survey was conducted and land was measured as 29 Cents. The petitioner being aggrieved against the survey, had given a representation dated 22.12.2017 seeking re-survey of the said land. Since, the petitioner's representation has not been considered, the present writ petition has been filed.

3. Mr.M.Maharaja, learned Special Government Pleader (HR&CE) accepts notice on behalf of respondents 1 and 2.

4. In view of the prayer sought for, without going into the merits of the claim projected by the petitioner in the representation, there shall be a direction to the 1st respondent to consider the petitioner's representation dated 22.12.2017 on its own merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of copy of this order. In the meantime, the respondents shall forbear from demolishing any construction put up in Survey No.47/1, Ariyamandhanallur Village, Thiruvallur District.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

[M.S.R.,J] [G.R.S.,J]
28.12.2017

Index : Yes / No
Internet : Yes / No
rka/nv
To

1. The Executive Officer,
Arulmigu Thirukachi Nambigal and
Varadaraja Perumal Thirukkoil,
Poonamallee, Chennai 600 056.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034

M.S.RAMESH.,J
and
G.R.SWAMINATHAN.,J
nv/rka



WP.No.34168 of 2017

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