

In the High Court of Judicature at Madras

Dated: 16.02.2017

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The Honourable Mr.JUSTICE B.RAJENDRAN

W.P.Nos.3798 to 3804 of 2017

and

WMP Nos.3863 to 3869 of 2017

in

W.P.Nos.3798 to 3804 of 2017

1.Mariappan ..Petitioner in W.P.3798/17
2.M.Kumar ..Petitioner in W.P.3799/17
3.P.Govindan ..Petitioner in W.P.3800/17
4.T.Govindharaj ..Petitioner in W.P.3801/17
5.R.Kannan ..Petitioner in W.P.3802/17
6.P.Govindharasu ..Petitioner in W.P.3803/17
7.Chinnapillai ..Petitioner in W.P.3804/17

Vs

1.The Thakkar/Inspector,
Hindu Religious & Charitable Endowments Department,
Omalur, Salem District.
2.Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Salem-1.
3.The Assistant Commissioner Executive Officer,
Arulmigu Padaivetti Amman Thirukovil,
Hindu Religious & Charitable Endowments Department,
Salem 636 011.

...Respondents in all W.Ps.

Common Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to consider the petitioner's representations dated 16.09.2016 within a time stipulated and to dispose the same in accordance to law.

For Petitioner : M/s.A.Sujatha
in all W.Ps. For M/s Law Vision

For Respondent : Mr.M.Maharaja
in all W.Ps. Special Government Pleader (HR&CE)

COMMON ORDER

By consent, the writ petitions are taken up for final disposal.

2.Today, when the matter is taken up for consideration, the only point which is raised by the learned counsel appearing for the petitioners is that the petitioners have been acting as servant of the Temple and enjoying the properties. Therefore, the eviction notice issued to the petitioners is not in accordance with law.

3.In reply, the learned Special Government Pleader (HR & CE) who accepts notice on behalf of the respondents would state that the question of enjoyment of the properties as servant of the Temple itself is denied. He would further state that, only in pursuance of the direction of the Hon'ble Division Bench of this Court to take action against the unauthorised occupants, proceedings under Section 78 of the H.R. & C.E. Act have been initiated and eviction notices have been issued to the petitioners. He would further state that the petitioners are at liberty to raise their points in the proceedings.

4.In view of the submissions made by the learned Special Government Pleader (HR & CE), all these writ petitions are disposed of giving liberty to the petitioners to raise all their points in the proceedings initiated against them under Section 78 of the H.R. & C.E. Act.

5.The writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are also closed.

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Assistant Registrar (CS VI)

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Sub Assistant Registrar

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To

1.The Thakkar/Inspector,
Hindu Religious & Charitable Endowments Department,
Omalur, Salem District.

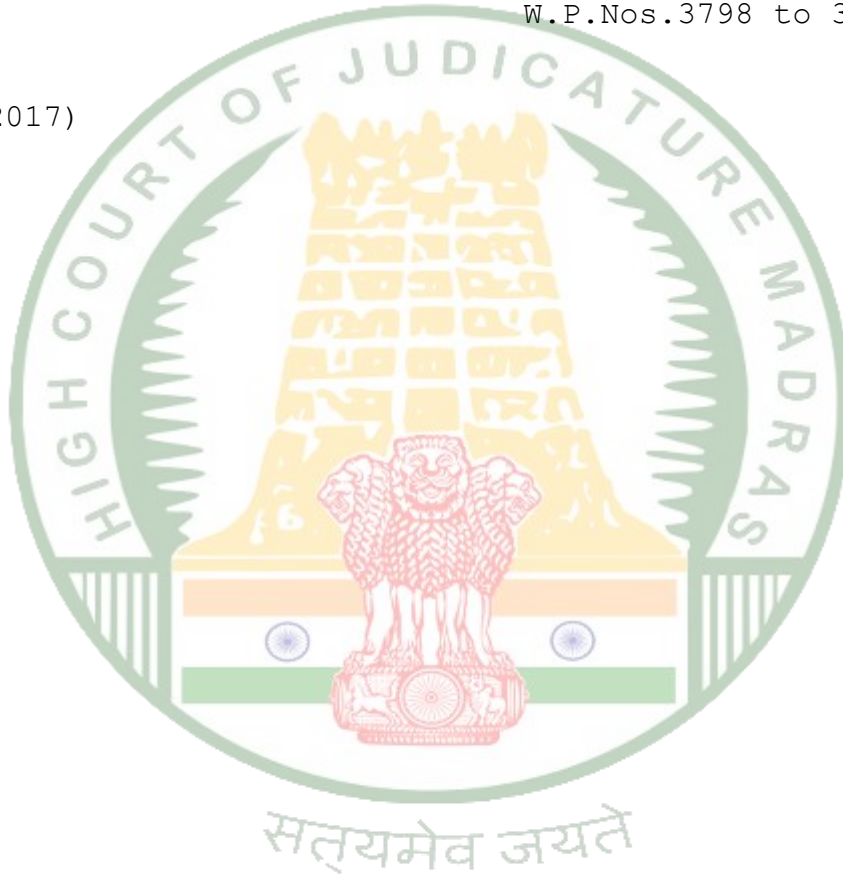
2.Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Salem-1.

3.The Assistant Commissioner Executive Officer,
Arulmigu Padaivetti Amman Thirukovil,
Hindu Religious & Charitable Endowments Department,
Salem 636 011.

+lcc to M/s.Law Vision, SR.No.10071
+lcc to Government Pleaser SR.No.10472

W.P.Nos.3798 to 3803 of 2017

AD(CO)
GN(06/03/2017)



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