

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2017

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THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.19160 of 2017
and W.M.P.Nos.20659 of 2017

1. A.M.Shanmugam
2. R.Shanmugasundaram
3. K.Balakrishnan ..Petitioners

Vs

1. The Collector,
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
3. The Tahsildar,
Komarapalayam Taluk,
Komarapalayam, Namakkal District.
4. The Village Administrative Officer,
Kaliyanur Village, Komarapalayam Taluk,
Namakkal District.
5. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Salem.
6. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Namakkal.
7. The Executive Officer,
Arulmigu Kalyana Venkataramana Perumal Koil,
Avathipalayam, Kaliyanur Village,
Agraharam Post,
Komarapalayam Taluk, Namakkal District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the respondents from evicting the petitioners from the lands situated in S.Nos.24, 25 and 124 of Kaliyanur Village, Komarapalayam Taluk, Namakkal District without due process of law.

For Petitioners : Mr.V. Elangovan
For Respondents : Mr.S.N.Parthasarathi, GA (R1-4)
Mr.M.Maharaja, SGP (R5 - 7)

O R D E R

Mr.S.N.Parthasarathi, learned Government Advocate, takes notice for the respondents 1 to 4 and Mr.M.Maharaja, learned Special Government Pleader, takes notice for respondents 5 to 7. By consent, the main writ petition is taken up for disposal at the admission stage itself.

2. The petitioners have filed the above writ petition to issue a writ of mandamus forbearing the respondents from evicting them from the lands situated in S.Nos.24, 25 and 124 of Kaliyanur Village, Komarapalayam Taluk, Namakkal District without due process of law.

3. The learned counsel appearing for the petitioners submitted that the petitioners have given a representation dated 27.06.2017 to the respondents narrating the entire facts of the case. However, the respondents have not considered the same yet.

4. Mr.S.N.Parthasarathi, learned Government Advocate, appearing for the respondents 1 to 4 and Mr.M.Maharaja, learned Special Government Pleader appearing for respondents 5 to 7 submitted that the 5th respondent may be directed to consider and pass orders on the petitioners' representation in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the respondents 1 and 5 to consider the petitioners' representation dated 27.06.2017 and pass orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving notice to all the interested parties.

With this observation, the Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Collector,
Namakkal District,
Namakkal.
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Komarapalayam, Namakkal District.
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Agraharam Post,
Komarapalayam Taluk, Namakkal District.

+1 CC to Govt. Pleader sr 53513

+1 CC to Mr.S. Doraisamy, Advocate sr 53184

W.P.No.19160 of 2017

SP(31/07/2017)

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