

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9721 of 2004

Kasthriya Vidhyashramam,
Represented by its President
Mr.Manrajan,
Virudhunagar.

...Petitioner

/versus/

1. Hindu Religious and Endowment Board,
Represented by its Joint Commissioner
Sivagangai,
Virudhunagar District.
2. Hindu Religious and Endowment Board,
Represented by its Asst Commissioner,
Virudhunagar,
Virudhunagar District.
3. The Managing Trustee,
Arulmighu Viswakarma Kaliyamman Koil,
Agraharam Street,
Virudhunagar District.

...Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari pertaining to Na.Ka.No:7082/2000/Aal dated 21.12.2000 and Mu.Mu.No.8308/01/E3 dated 19.09.2001 passed by the first Respondent, to call for the same and quash the same as the same has been issued without any proper authenticity and legal authority.

For Petitioner	: Mr.Sivam Sivanandraj
For R1 and R2	: Mr.M.Maharaja (SGP)
For R3	: No Appearance

O R D E R

The writ petition is filed challenging the order dated 21st December, 2000, appointing five persons as Trustees, but those five persons were not impleaded as respondents in this Writ Petition.

2. Without impleading the necessary parties, the writ petition cannot be adjudicated effectively, since the writ petitioner is challenging the appointment of five persons of the Temple.

3. The grievances of the writ petitioner is that there was encroachment by the Temple Trustees causing hindrance to the School managed by the writ petitioner.

4. The encroachment of a Public property is unconnected with the appointment of Trustees and if there is any encroachment, the writ petitioner has to move the competent authority under the provisions of Tamil Nadu Land and Encroachment Act, 1905.

5. Such being the factual position, the writ petitioner is not entitled for the relief as such sought for in this writ petition. However, liberty is granted to initiate appropriate action against encroachment, if any, under the relevant Act, by the writ petitioner.

6. With these observations, the writ petition is closed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

सत्यमेव जयते

rna

To

1. Hindu Religious and Endowment Board,
Represented by its Joint Commissioner
Sivagangai,
Virudhunagar District.
2. Hindu Religious and Endowment Board,
Represented by its Asst Commissioner,
Virudhunagar,
Virughunagar District.

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Agraharam Street,
Virudhunagar District.

+1cc to the Government Pleader, Sr. 36895

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NRI (CO)
VR(17/5/2017)



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