



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.11572 of 2016

A.Saravanan

... Petitioner

Vs.

1.Hindu Religious and Charitable Endowment Board,
Represented by its Commissioner,
Utthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.

2.R.Kathiravan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to evict the second respondent as encroacher in the temple land of "Arulmigu Narasinga Perumal" at Vallam, Thanjavur-District based on the representation dated 01.02.2016 and consequently restore the same free from encroachment.

For Petitioner : Mr.K.Prabhu

For Respondent No.1 : Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The petitioner filed this writ petition to evict the second respondent as he is an encroacher of the temple land.

2. The land belongs to Arulmigu Narasinga Perumal temple at Vallam, Thanjavur District. It is always open to the first respondent to initiate action for removal of encroachment. The petitioner, who is a third party, cannot invoke the jurisdiction of this Court for a direction to the first respondent to remove the encroachment. However, we make it clear that this order would not stand in the way of the first respondent from taking action against the encroachers.



3.The Writ Petition is dismissed. No Costs.

Sd/-
Assistant Registrar(AE)

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/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Hindu Religious and Charitable Endowment Board,
Utthamar Gandhi Salai, Nungambakkam,
Chennai-600 034.

+1cc to M/S.K.Prabhu, Advocate SR.No. 75745
+1cc to Special Government Pleader, SR.No. 76070

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30.08.2017

PJL
JM/SV MMS/SAR 1/11.10.2017/2P/4C