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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **27.07.2017**

CORAM:

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

W.P. (MD) No.3269 of 2017
and
W.M.P. (MD) Nos.2609 and 2610 of 2017

T.S.Thirumalai .. Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
No.1, West Chithirai Street,
Madurai-1.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pandian Nagar,
Dindigul-1.
- 4.The Collector,
Dindigul District,
Dindigul.
- 5.The Revenue Divisional Officer,
Dindigul District,
Dindigul.
- 6.The Tahsildar,
Natham Taluk,
Dindigul District.
- 7.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Chennai-600 009.
- 8.The District Registrar,
Revenue Department,
Round Road, Dindigul,
Dindigul District.



9.The Sub-Registrar,
Sub-Registrar Office,
Sendurai,
Dindigul District.

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10.The Superintendent of Police,
Dindigul, Dindigul District.

11.Saravanamuthu

12.S.Ajithkumar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents No.1 to 3 herein to take appropriate action against the respondents No.11 and 12 for creating fraudulent documents and transferring the property and to remove the encroachments of the Sri Mahalakshmi Amman Temple property comprised in Survey Nos.345/1A, 345/1B, 345/1C, 346/2 of lands and Survey No.353/2 of 20 shops situated at Sendurai Village, Natham Taluk, Dindigul District.

For petitioner	: Mr.S.Sivakumar
For respondents	: Mr.M.Govindan Special Government Pleader for R.1 to R.10
	: Mr.N.Rahamadullah for R.11 to R.12

O R D E R

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

The petitioner filed this Writ Petition for issuance of a Writ of Mandamus to direct the respondents 1 to 10 to take appropriate action against the respondents 11 and 12 for creating fraudulent documents and grabbing the temple property situated at Survey Nos.345/1A, 345/1B, 345/1C, 346/2 of lands and Survey No.353/2 of 20 shops situated at Sendurai Village, Natham Taluk, Dindigul District.

2. The counter affidavit filed by the Joint Commissioner of Hindu Religious and Charitable Endowments Administration Department, Madurai indicates that the temple has taken action by approaching the District Revenue Officer for changing patta. The matter is now pending before the District Revenue Officer, Dindigul.



3. The learned Special Government Pleader, on instructions, submitted that the appeal filed by the temple for mutation of records is now pending before the District Revenue Officer, Dindigul.

4. Since the matter is pending before the Revenue Authority, there is no question of issuing a Writ as prayed for by the Writ Petitioner.

5. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(crl side)

/Truecopy/

Sub Assistant Registrar

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
No.1, West Chithirai Street,
Madurai-1.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pandian Nagar,
Dindigul-1.
- 4.The Collector,
Dindigul District,
Dindigul.
- 5.The Revenue Divisional Officer,
Dindigul District,
Dindigul.
- 6.The Tahsildar,
Natham Taluk,
Dindigul District.
- 7.The Inspector General of Registration,
Office of the Inspector General of Registration,
Secretariat Home Deptt, Road,
Chennai-600 009.



8.The District Registrar,
Registration Department,
Round Road, Dindigul,
Dindigul District.

9.The Sub-Registrar,
Sub-Registrar Office,
Sendurai,
Dindigul District.

10.The Superintendent of Police,
Dindigul, Dindigul District.

+1cc to M/S.S.SIVAKUMAR, Advocate SR.No.68508

+1cc to Special Government Pleader, SR.No. 68987

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MAS/KP/SAR2:22.08.2017:4P-13C

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