

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

W.P. No.14031 of 2018

J.Mohanraj

.. Petitioner

-vs-

The Commissioner
Hindu Religious Endowment Board,
Nungambakkam High Road,
Chennai-34.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent to consider and act on representation dated 10.03.2018 regarding police action on the former trustee and on the issue of missing Tank once attached with Lord Vengeesvarar Temple by seeking the assistance of government departments.

For Petitioner : Mr.J.Mohanraj

For Respondents : Mr.M.Maharaja
Special Govt. Pleader

O R D E R

(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition in public interest is directed against the disappearance of a tank adjacent to Lord Vengeesvarar Temple which was part of the temple premises.

2.Mr.M.Maharaja, learned Special Government Pleader, appearing on behalf of Hindu Religious and Charitable Endowment Department ('HR & CE' Department, for brevity), submits that the temple is administered by the hereditary trustees under the supervision of the HR & CE Department.

3.On behalf of the Commissioner, HR & CE Department, it is submitted that a tank was in existence as alleged in the writ petition. One of the trustees transferred the land to a third

party, who has filled up the tank and made construction thereon. It is also submitted on behalf of the Commissioner, HR & CE Department that the concerned trustee has since been expelled and proceedings have been initiated against him.

4.The Department shall immediately initiate steps for removal of all encroachments and for restoration of the tank in accordance with law, upon notice to the alleged encroachers. There can be no question of any construction on a water body. The police, revenue authorities and Corporation authorities shall be bound by this order and shall render necessary assistance to the HR & CE Department.

The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

The Commissioner
Hindu Religious Endowment Board,
Nungambakkam High Road,
Chennai-34.

+1cc to Mr.J.Mohanraj, Advocate, S.R.No.38505

+1cc to the Government Pleader(HR & CE), S.R.No.38367

सत्यमेव जयते

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CS/27/06/18

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