

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.15739 of 2018

A.Raja

...Petitioner

Vs.

1. The District Collector,
Perambalur District.
Perambalur.
2. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Nungambakkam,
Chennai.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Collectorate Building,
Ariyalur,
Ariyalur District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd Respondent to initiate appropriate action on the representation of the Petitioner dated 03.05.2018 given by the petitioner within time stipulated by this Hon'ble Court.

For Petitioner : Mr.E.P.Senniyangiri
For Respondents : Mr.M.Maharaja, Spl GP (HR & CE)
M/s.M.Lalitha, GA

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]
By consent, the writ petition is taken up for final disposal.

2.Mr.M.Maharaja, learned Special Government Pleader (HR & CE) accepts notice on behalf of respondents 2 and 3. Ms.M.Lalitha, learned Government Advocate accepts notice on behalf of the 1st respondent.

3.The writ petition is styled as a Public Interest Litigation and he claims to be a resident of Nuthapur Vadaku Village, Veppanthattai Taluk, Perambalur District. The learned counsel appearing for the petitioner would submit that the land in S.Nos.197, 199/4, 284/2, 341/11, 343/14 and 343/7 of Nuthapur Vadaku Village, Veppanthattai Taluk, Perambalur District, belongs to Arulmigu Selva Vinayagar Temple and Patta No.7 has also been issued in favour of the Temple. In respect of the said land, some persons with no right or whatsoever, encroached upon the Temple land and also put up a superstructure without any planning permission or approval and the representation dated 03.05.2018 submitted by the petitioner has failed to invoke any kind of response and therefore came forward to file this writ petition.

4.Heard the submission of Mr.M.Maharaja, learned Special Government Pleader (HR & CE) appearing for the respondents 2 and 3 and Ms.M.Lalitha, learned Government Advocate appearing for the 1st respondent.

5.This Court has considered the rival submissions and also perused the materials placed before it.

6.This Court, taking into consideration the above facts and circumstances, and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition directs the the 3rd respondent to cause inspection of the said land and depending upon the result of the inspection shall take appropriate action in accordance with law after putting on notice the persons concerned and the said exercise needs to be carried out within a period of twelve weeks from the date of receipt of copy of this order and decision taken in that regard shall be informed to the petitioner as well as to the persons concerned.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sk

To

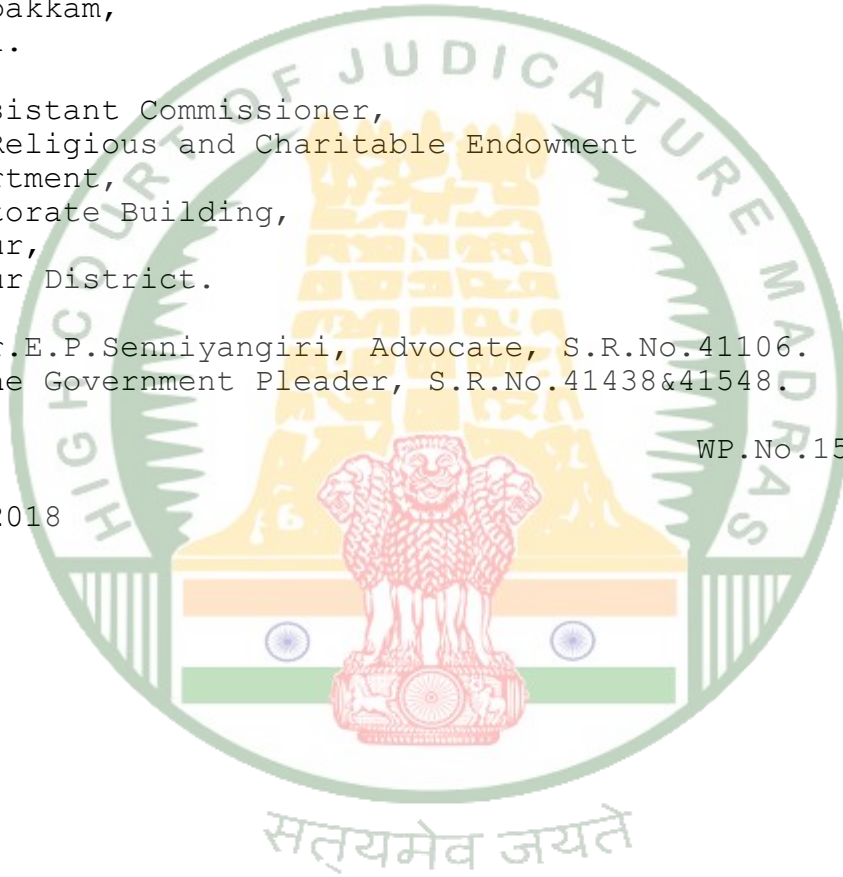
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+lcc to Mr.E.P.Senniyangiri, Advocate, S.R.No.41106.

+lcc to the Government Pleader, S.R.No.41438&41548.

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MP (CO)
BM 19/07/2018



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