



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.05.2018

CORAM:

WEB COPY

**THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN
AND
THE HONOURABLE Mrs.JUSTICE T.KRISHNAVALLI**

W.P. (MD) No.11433 of 2018

Murugesan

... Petitioner

-Vs-

1. The Commissioner,
Hindu Religious and Charitable Endowments Board,
119, Utthamar Gandhi Saalai,
Nungampakkam,
Chennai-14.

2. The Joint Commissioner,
Joint Commissioner Office,
Hindu Religious and Charitable Endowments Board,
Palayamkottai,
Tirunelveli District.

... Respondents

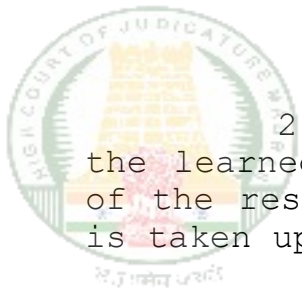
PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 and 2 to consider the petitioner's representation dated 28.04.2018 and remove the encroachments and the unlawful inscription kept in the Arulmigu Thirukooti Ayyanar Thirukovil temple buildings situated at Perunkootur Village, Thiruvenkatam Taluk, Tirunelveli District within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Ganesh Prabhu
For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader.

ORDER

(Order of the Court was made by M.V.MURALIDARAN, J.)

The petitioner seeks for a Writ of Mandamus, to direct the first and second respondents to consider the petitioner's representation dated 28.04.2018 and to remove the encroachments and the unlawful inscription kept in the Arulmigu Thirukooti Ayyanar Thirukovil temple buildings situated at Perunkootur Village, Thiruvenkatam Taluk, Tirunelveli District.



2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader, who takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself.

3. Though the petitioner has filed this writ petition with the limited prayer to direct the respondents to consider the petitioner's representation dated 28.04.2018 and remove the encroachment, but the petitioner has not impleaded the encroachers. Hence, this Court is inclined to pass the following order:-

"The second respondent is directed to consider the petitioner's representation dated 28.04.2018, by giving notice to the petitioner as well as the alleged encroachers and to conduct enquiry and thereafter, pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Board,
119, Utthamar Gandhi Saalai,
Nungampakkam,
Chennai-14.

2. The Joint Commissioner,
Joint Commissioner Office,
Hindu Religious and Charitable Endowments Board,
Palayamkottai,
Tirunelveli District.

+ 1 CC TO Mr.R.GANESH PRABHU, ADVOCATE IN SR No. 66225

MYR/TA

TE/JC/SAR-3 : 11/06/2018 : 2P/4C

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30.05.2018