



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
W.P.[MD].No.18861 of 2018

Ponniah Thevar

: Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Hindu Religious and Charitable Endowment Office,
Chennai 34.
 - 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
No.40, Muthusamy Nagar,
Sivagangai, Sivagangai District.
 - 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi, Ramanathaputharam District.
 - 4.The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Thiruvadanai, Ramanathapuram District.
 - 5.Arulmigju Sri Valuthanyaki Amman Thirukovil,
Rep by its Executive Officer,
Kurunthanakkottai Village,
Devakottai Taluk, Sivagangai District.
- : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to take control over the temple land comprised under Patta No.1239 and other temple landed properties situate at Kurunthanakkottai Village, Devakottai Taluk, Sivagangai District, belonging to Arulmigju Sri Valuthanyaki Amman Thirukovil, and to maintain the same for augmentation of income to the temple by way of put into public auction or lease or rent etc., and to take appropriate action for looting the public donations by considering the petitioner's representation dated 08.08.2018 within a stipulated time.

For petitioner
For respondents 1to4

: Mr.A.Saravanan
: Mr.N.Shanmugaselvam
Additional Government Pleader
: Mr.V.Chandrasekar
Standing Counsel



O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

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The petitioner has come forward to file this Writ Petition seeking a direction to the second respondent to take control over the temple land and remove the encroachment.

2. The learned Standing Counsel appearing for the fifth respondent, on instructions, would submit that a fit person has already been appointed, but, he is yet to take charge.

3. Taking note of the aforesaid submission, we direct the fit person to take appropriate steps to see it that the encroachment, if any, is removed by following the due process of law.

4. The Writ Petition is disposed of with the above direction. No costs.

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar (CS-II)

To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Hindu Religious and Charitable Endowment Office,
Chennai 34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
No.40, Muthusamy Nagar,
Sivagangai, Sivagangai District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi, Ramanathaputharam District.

4.The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Thiruvadanai, Ramanathapuram District.

+1cc to Mr.S.MUTHUKUMAR, Advocate, SR.No. 81066

+1cc to Mr.V.Chandrasekar, Advocate, SR.No. 81548

+1cc to M/s.Special Government Pleader, SR.No. 81482

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