

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28031 of 2008

Mr.P.Sukumar

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Petitioner

-vs-

1. The Commissioner
Hindu Religious and Charitable Endowment
Nungambakkam High Road
Chennai 600 034
2. The Executive Officer
A/m Ekambareswarar Thirukoil
Aminjikai
Chennai 600 029
3. Collector of Chennai District
Collector's Office
Rajaji Salai
Chennai 600 001
4. The Tahsildar
Egmore Nungambakkam Taluk
Chetpet
Chennai 600 031

Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Declaration, declaring that the respondents 1 and 2 have no power and jurisdiction to treat the schedule mentioned land as temple land in view of order of the Settlement Tahsildar, Chengalpattu having office in Branch Settlement Office, Chingleput, in its proceedings S.R.55/70/TNMIA/ACT/30/63/ MDS/(Central) dated 31.3.1971 and also in view of Section 43 of Tamil Nadu Act 30 of 1963. The respondents have no jurisdiction and power to take eviction proceedings against the petitioner in respect of land comprised in R.S.No.70/2 part T.S.No.88, Block No.24 of Aminjikai, Egmore Nungambakkam Taluk over which the superstructure bearing Old No.36, New No.16, South Kasar Thottam Street, Aminjikai, Chennai 600 029 has been constructed by mother of the petitioner herein.

Schedule of Property

Building as well as land bearing Old No.36, New No.16, South Kasar Thottam Street, Aminjikai, Chennai 600 029 in R.S.No.70/2 part T.S.No.88, Block No.24 in Aminjikai Village, Egmore Nungambakkam Taluk, an extent of 2287 sq.feet.

For Petitioner:: Mr.V.Venkatesan

For Respondents:: Mr.M.Maharaja

Special Government Pleader for R1

Mr.S.D.Ramalingam for R2

Mr.K.Ravikumar

Additional Government Pleader
for R3 & 4

ORDER

Learned counsel for the petitioner sought permission to withdraw the writ petition and he has also made an endorsement to that effect. Recording his statement and the endorsement, this writ petition is dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ss

To

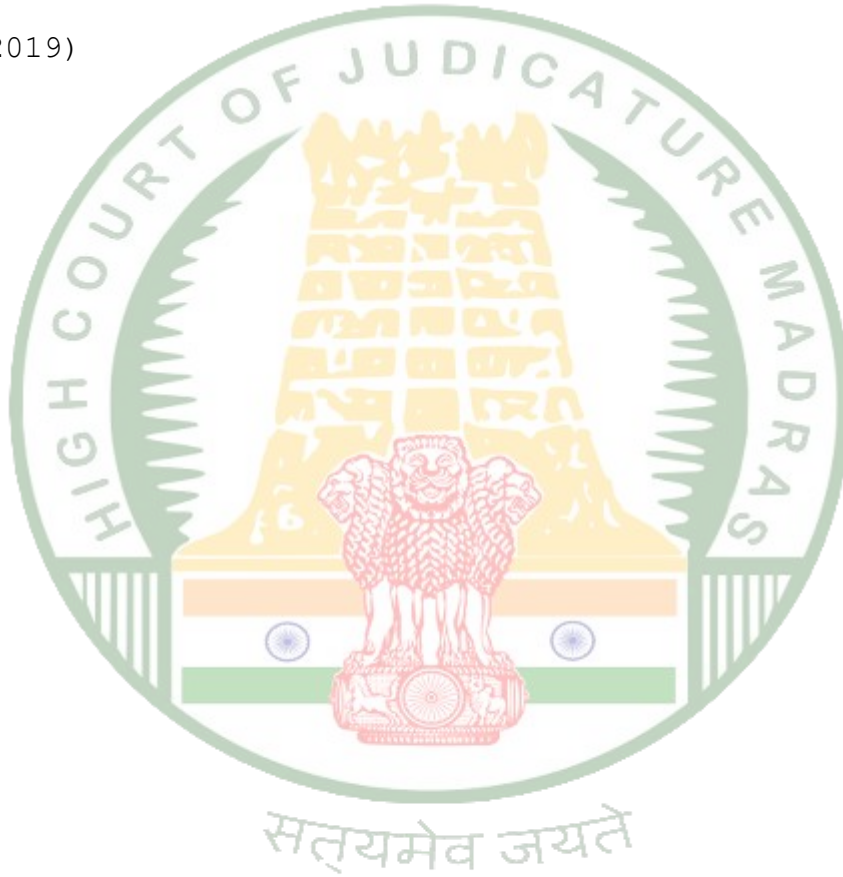
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+1cc to Mr.V.Raghupathi, Advocate, S.R.No. 29058
+2cc to the Government Pleader, S.R.No.30526, 30698

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AP (CO)
GN (30/04/2019)



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