

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.32282 of 2019

Arulmighu Srinataraja Perumal Thirukovil,
rep. by its Dharmakartha,
M.Shanmugam,
S/o.Murugesan,
Kandiyankuppam Post,
Velayampakkam Post,
Tiruvannamalai Taluk & District. Petitioner

vs.

1. The District Collector,
Collectorate Office,
Tiruvannamalai,
Tiruvannamalai District.
2. The Tahsildar,
Tiruvannamalai,
Tiruvannamalai District.
3. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai 600 034.
4. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Villupuram Collectorate Campus,
Villupuram.
5. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruvoodal Street, Tiruvannamalai District.
6. Radhakrishnan
7. Harikrishnan
8. Poongavanam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the third Respondent to take necessary action to remove the encroachment and recover the land and to cancel the patta within a time frame as may be fixed by this Court comprised in Survey Nos.28/3, 8/5B1, 8/5B3, 52/10A, 52/4, 52/9, 75/11, 75/20, situated at Kandiyankuppam Village, Tiruvannamalai Taluk & District.

For Petitioner : Mr.R.Mohan

For Respondents 1 & 2 : Mr.P.S.Shivashanmugasundaram,
Special Government Pleader

For Respondents 3 to 5 : Mr.M.Maharaja,
Special Government Pleader

OR D E R

(Order of the Court made by M.M.SUNDRESH,J.)

Though the Writ Petition has been filed by the Petitioner claiming to be Dharmakartha, we are not inclined to go into the said issue, while considering the prayer sought for.

2. It is the grievance of the Petitioner that private respondents have encroached the Temple property. Despite intimation given, no fruitful action is being taken by Respondents 4 and 5.

3. We have perused the documents including the representation made by the Petitioner on 02.08.2018 and the reply given by the 5th Respondent. It appears that the encroachment stands as of now.

4. In such view of the matter, without going into the merits of the case, we call upon the 5th Respondent to take action against the encroachers, after following due procedures and appropriate orders will have to be passed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1. The District Collector,
Collectorate Office,
Tiruvannamalai,
Tiruvannamalai District.
2. The Tahsildar,
Tiruvannamalai,
Tiruvannamalai District.
3. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai 600 034.
4. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Villupuram Collectorate Campus,
Villupuram.
5. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruvoodal Street, Tiruvannamalai District.

+1 cc to M/s.R.Mohan, Advocate Sr.No. 95408

+2 cc to The Government Pleader Sr.Nos.96036 and 96176

AKM/17.12.19/3P-9C /

Order in
W.P.No.32282 of 2019

सत्यमेव जयते

WEB COPY