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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.23649 of 2019

Janakiraman .. Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The Commissioner,
The Hindu Religious and Charitable Endowment Board,
Chennai-600 034.

3.The Assistant Commissioner,
The Hindu Religious and Charitable Endowment Board,
Karur.

4.The Inspector,
The Hindu Religious and Charitable Endowment Board,
Kulithalai, Karur District.

5.The Block Development Officer,
Thogamalai Panchayat Union,
Karur District.

6.The Secretary,
Porunthalur Panchayat,
Karur District.

7.Sangili Muthu .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 6 to remove the encroachment made on the Bhagavathi Amman Temple bearing S.No.216/3, 216/7 and 243 situated at Porunthalur Village, Karur District.

For Petitioner : Mr.R.Murugappan

For R1 : Mr.A.Muthukaruppan
Additional Government Pleader

For R2 to R4 & R6 : Mr.A.K.Baskara Pandian
Special Government Pleader

For R5 : Mr.M.Murugan
Government Pleader

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For R7 : Ms.Porkodi Karnan

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.R.Murugappan, learned counsel appearing for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader, appearing for the first respondent, Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondents 2 to 4 and 6, Mr.M.Murugan, learned Government Advocate appearing for the fifth respondent and Ms.Porkodi Karnan, learned counsel appearing for the seventh respondent. By consent on either side, this writ petition is taken up for final disposal.

2. The learned counsel for the petitioner by way of this Public Interest Litigation submitted that there is an encroachment by the seventh respondent into the temple land and the land owned by the Temple is under the control of the HR & CE Department and the same cannot be encroached.

3. The learned Special Government Pleader submitted that by way of temporary arrangement a shed has been permitted to put up in the said land, so as to perform the Kumbabisekam festival scheduled to be held on 10.11.2019 and after the festival is over, the shed will be dismantled.

4. Considering the fact that the land is the temple land, the Officials of the HR & CE Department are directed to ensure that no construction is erected in the temple land and for this year because of the festival, construction is permitted to put up till the conclusion of the festival on 10.11.2019 and the construction shall be dismantled on or before 05.00 p.m., on 12.11.2019

5. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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Karur District.

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-97142[F] dated 08/11/2019)

+1 CC to M/s.GP (SR-97287[F] dated 11/11/2019)

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-97500[F] dated 12/11/2019)

W.P(MD)No.23649 of 2019
08.11.2019

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