

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.4577 of 2020

C.ADILAKSHMI,
W/o C.Balaji, Hereditary Trustee of
Arulmighu Pachavannar and Pavalavannar Swamy Temple,
Big Kancheepuram, NO.12-A, Kalender Street,
Big Kancheepuram.

..... Petitioner

Vs

- 1 The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Uthmar Gandhi Salai, Nungambakkam,
Chennai 600 034.
- 2 The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Department, 1st Floor,
R.T.O Salai, Sathuvachari,
Vellore 632 009.
- 3 The Assistant Commissioner,
TamilNadu Hindu Religious and Charitable
Endowments Department, 1st floor ,
Collectorate Building Campus,
Kancheepuram 631 501.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying Writ of Mandamus directing the Respondents herein to de seal the premises bearing door no.4, Vengu Chetty Street, Park Town, Chennai 600 003 to take appropriate steps by constituting a committee consisting of the Joint Commissioner H.R and C.E Department Vellore the hereditary trustees of the petitioner temple and the District Registrar concerned of the Registration Department in accordance with Section 34(A) of the Tamil Nadu Hindu Religious and Charitable Endowments Act and to permit the hereditary trustee of the petitioner temple to conduct public auction to lease out

the said property in accordance with Rule 6 of the Religious Institutions (Lease of Immovable Property) Rules 1963.

For Petitioner : Ms.S.Vijayalakshmi

For Respondents : Mr.M.Karthikeyan,
Special Government Advocate

O R D E R

This Writ Petition has been filed by a Trustee of Arulmighu Pachavannar and Pavalavannar Swamy Temple, Kancheepuram (in short 'Temple') praying for de-sealing of the premises at Door No.4 Vengu Chetty Street, Park Town, Chennai 600 003 (property in question) belonging to the Temple on the ground that the sealing of the property has led to revenue loss for the Temple.

2. A status report has been filed by the Joint Commissioner/R2 that reveals that the property in question was being encroachment by one B.Shaji, against whom Section 78 proceedings had been taken by the respondents. A revision petition numbered as R.P.No.19 of 2020 has been filed by the aforesaid Shaji before the Commissioner/R1, where an order of status quo has been passed by the Commissioner. The possession of the premises thus vests with the HR&CE as on date.

3. In the interest of all parties it would thus suffice that the Revision Petition be ordered to be disposed within a time frame fixed by this Court. Accordingly, let R.P.No.19 of 2020 be heard and orders passed by R1 within a period of eight (8) weeks from today.

4. This Writ Petition is disposed in the aforesaid terms. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

s1

To

1 The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Uthmar Gandhi Salai, Nungambakkam,
Chennai 600 034.

- 2 The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Department, 1st Floor,
R.T.O Salai, Sathuvachari,
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- 3 The Assistant Commissioner,
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Endowments Department, 1st floor ,
Collectorate Building Campus,
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+2cc to M/s.D.Rajagopal, Advocate, sr no.31881

W.P. No.4577 of 2020

VSNI (CO)
RMP (19/11/2020)