



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.805 of 2020

and

W.M.P. (MD) No.580 of 2020

WEB COPY

M.Krishnamoorthy

... Petitioner

Vs.

1) The District Revenue Officer,
O/o District Revenue Officer,
Karur District, Karur.

2) The Executive Officer,
A/m.Rathinagreeshwarar Thirukovil,
Ayyarmalai,
Sathiyamangalam Village,
Kulithalai Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order dated 06.01.2020 passed by the 2nd respondent and quash the same and not to disturb the petitioner from his possession to pass any further orders.

For Petitioner	: Mr.C.Deepak
For R-1	: Mr.M.Rajarajan, Government Advocate
For R-2	: Mr.Aaathimoola Pandian

O R D E R

The petitioner has come to this Court challenging the impugned notice issued by the second respondent dated 06.01.2020 under Sections 78 and 79 of the Hindu Religious and Charitable Endowments Act.

2. The grievance of the petitioner is that, he is the owner of the property located at Survey No.33/6, Sathiyamangalam Village, Kulithalai Taluk, having purchased the same on 22.03.2013 and 31.05.2013 by registering documents from his vendor who had also purchased the same in the year 1927. While so, the second respondent has issued the impugned notice calling upon the petitioner to vacate the premises, as the said lands belong to Arulmighu Rathinagreeswarar Temple. It is also stated by the petitioner that the impugned notice dated 06.01.2020 was received by the petitioner only on 09.01.2020. Therefore, there was no time for the petitioner even to approach the Authority in response to the notice.



3. Be that as it may, the petitioner is directed to approach the second respondent and give his explanation within a period of two weeks from today. Thereafter, the second respondent is directed to consider the representation of the petitioner by affording an opportunity of personal hearing to him and pass appropriate orders on merits and in accordance with law. The said exercise should be completed within a period of three weeks thereafter.

4. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.(MD) No.580 of 2020 is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

The District Revenue Officer,
O/o District Revenue Officer,
Karur District, Karur.

+1 CC to M/s.C.DEEPAK, Advocate (SR-1651[F] dated 13/01/2020)

+1 CC to M/s.SPL.GP (SR-1979[F] dated 20/01/2020)

Order made in

W.P(MD)No.805 of 2020

Dated:13.01.2020

SMA/28/01/2020/2P/4C