

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.07.2020****CORAM:****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P. (MD) No.7361 of 2020**

Muniyappan

... Petitioner

Vs.

1. The District Collector,
Karur District.2. The Thasildhar,
Kadavur Taluk Office,
Kadavur,
Karur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct a detailed enquiry regarding the temple land in Survey No.419 and 420 which is situated at Keelapaguthi Village, Kadavur Taluk, Karur District, based upon the petitioner's representation dated 17.06.2020.

For Petitioner : Mr.P.Andiraj

For Respondents : Mr.M.Rajarajan,
Government Advocate.

* * *

ORDER

Heard the learned counsel on either side. With their consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is a permanent resident of Keelapaguthi Village in Tharagampatti, Kadavur Taluk, Karur District. The petitioner is a devotee of Bhagavathiamman temple, Mariamman temple and Muthalamman temple. The temples are said to be more than hundred years old. The petitioner would claim that the temples are maintained by Pandaram community. It is stated that 13 acres of the land was allotted in favour of the temple by the ancestors of the petitioner. In order to ensure the construction of a school, the community elders have parted with 5 acres of the land out of the said 13 acres. The petitioner's grievance is that the local real estate persons are having a evil eye on the remaining 8 acres of the



land. He therefore wants the remaining 8 acres of the land to be totally safeguarded.

3. I do not want to assume for a moment that 5 acres of the land were already gifted. When the lands have been endowed for such religious and charitable purpose, it is the duty of the administration to ensure that the endowed lands are not encroached.

4. Therefore, the first respondent is directed to hold an enquiry through the competent official and ensure that the endowed lands are appropriately demarcated. The first respondent will also issue appropriate proceedings in this regard. The first respondent will verify if 5 acres have already been given to the education department. If it is so, he will ensure that the remaining 8 acres are fully taken care. Since the State is now under lock down, the first respondent will ensure that such proceedings are concluded within a period of sixteen weeks from the date of receipt of a copy of this order. If there are any unauthorised encroachments in the remaining 8 acres of the land, the authorities will ensure that the encroachments are cleared. Of course due process of law will be observed while clearing such encroachments.

5. This writ petition stands disposed of on these terms. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1. The District Collector,
Karur District.
2. The Thasildhar,
Kadavur Taluk Office,
Kadavur, Karur District.

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