



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.7864 of 2020

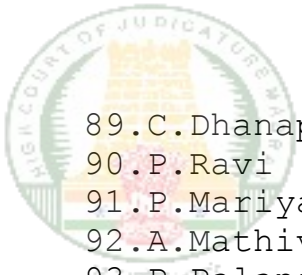
and

W.M.P. (MD) No.7337 of 2020

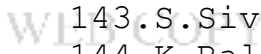
- 1.M.Jagadeesan
- 2.R.Saravanan
- 3.M.Palanisamy
- 4.A.Sumathi
- 5.S.Maheswari
- 6.D.Sakthi
- 7.M.Muthulakshmi
- 8.D.Govindaraj
- 9.K.Sellammal
- 10.S.Vijayarani
- 11.C.Paneer Selvam
- 12.T.Mani
- 13.M.Malarkodi
- 14.R.Nallammal
- 15.M.Jothi
- 16.R.Manimekalai
- 17.P.Chokalingam
- 18.R.Raju
- 19.U.Pandima Devi
- 20.M.Udhayakumar
- 21.S.Ramachandran
- 22.M.Prabhu
- 23.V.Kuppusamy
- 24.M.Punitha
- 25.R.Kannaiyan
- 26.K.Shanthi
- 27.K.Saranraj
- 28.V.Yogesh
- 29.S.Shanthi Lakshmi
- 30.K.Senthilkumar
- 31.C.Raju Naicker
- 32.M.Ramesh
- 33.T.Paramasivam
- 34.M.Annamuthu
- 35.S.Meenakshi
- 36.S.Saravanan
- 37.P.Arukkani
- 38.R.Ramesh Kumar



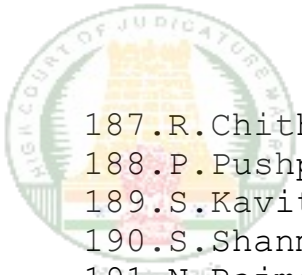
- 40.K.S.Manoharan
- 41.R.Santanagopalan
- 42.R.Kavitha
- 43.V.Thirunavakarsu
- 44.S.Lakshmi
- 45.V.Palaniyappan
- 46.D.Mani
- 47.C.Sudhakaran Kani
- 48.M.Kuganathan
- 49.V.Natarajan
- 50.P.Anandhi
- 51.N.Periyasamy
- 52.V.Ganesan
- 53.K.Savithiri
- 54.S.Thangavel
- 55.S.Chandrasekaran
- 56.P.Subramani
- 57.R.Chitra
- 58.P.Vennila
- 59.T.Sivagami
- 60.C.Desinguraja
- 61.K.Selvi
- 62.P.Loganathan
- 63.N.Balagururaja
- 64.S.Muthusamy
- 65.R.Lakshmi Bala
- 66.A.Venkatesan
- 67.A.R.Subathra
- 68.R.Kalpana
- 69.R.Gopinathan
- 70.D.Seralathan
- 71.P.Vasudevan
- 72.K.Lakshmi
- 73.C.Dharmalingam
- 74.D.Sudha
- 75.K.Kandhasamy
- 76.K.Shanmugam
- 77.K.Vincent
- 78.K.Paulraj
- 79.M.Kittusamy
- 80.K.Baby
- 81.N.Malliga
- 82.R.Mohanraj
- 83.K.Vijayalakshmi
- 84.P.Pappathi
- 85.A.Muthusamy
- 86.P.Kandhasamy
- 87.M.Paremeshwari



- 89.C.Dhanapal
- 90.P.Ravi
- 91.P.Mariyappan
- 92.A.Mathivanan
- 93.P.Palaniyappan
- 94.P.Dhanam
- 95.R.Krishnaveni
- 96.S.Balusamy
- 97.P.Karuppaiah
- 98.M.Punithavathi
- 99.P.Nallusamy
- 100.P.Sivaraman
- 101.S.Susila
- 102.S.Vijayashankar
- 103.P.Ramamurthy
- 104.G.Suganya
- 105.B.Pasupathi
- 106.K.Arasan
- 107.P.Duraisamy
- 108.K.M.Selvaraj
- 109.S.Ravi
- 110.K.Nandha Gopal
- 111.T.Palaniyammal
- 112.K.Shanthi
- 113.S.Muthukrishnan
- 114.R.M.Muthaiya
- 115.P.Lakshmi
- 116.A.Gunasekaran
- 117.D.Renuka Devi
- 118.M.Dhanaraj
- 119.N.Marimuthu
- 120.M.Ponnusamy
- 121.B.Agilan
- 122.V.Lakshmi
- 123.P.Annammal
- 124.A.Sumathi
- 125.K.Muthusamy
- 126.S.Saraswathi
- 127.M.Palaniammal
- 128.M.Sathya
- 129.N.Seethalakshmi
- 130.M.Ganesan
- 131.S.Banumathi
- 132.K.Lakshmi
- 133.J.Kuppulakshmi
- 134.M.Vijayakumar
- 135.M.Chinthamani
- 136.R.Ranganathan



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187.R.Chithirai Selvan
188.P.Pushparani
189.S.Kavitha
190.S.Shanmugasundaram
191.N.Rajmohan
192.D.Mathivaanan
193.K.Amsavalli
194.M.Sivasamy
195.M.Dhanasekaran
196.P.Geetha
197.R.Periyasamy
198.P.Selvakumar
199.S.Muthusamy
200.R.Rajalakshmi

... Petitioners

Vs.

1.The Secretary,
Hindu Religious and Charitable Endowment
Department,
Tamil Nadu Government,
Fort St. George,
Chennai-600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowment,
Department, 119, Nungambakkam High Road,
Chennai 600 034.

3.The District Collector,
Karur, Karur District 639 007.

4.The District Revenue Officer,
Collectorate, Karur-639 007.

5.The Revenue Divisional Officer,
Karur, Karur District.

6.The Tahsildar,
Manmangalam Taluk,
Karur District.

7.The Executive Officer,
Arulmighu Balasubramaniasamy Thirukoil,
Vennaiyalai-639 006,
Manmangalam Taluk,
Karur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, directing the
respondent to consider the case of petitioners under



Section 34 of the Hindu Religious and Charitable Endowment Act in the light of the order passed by this Court in W.P.(MD)No.64 of 2018 dated 23.10.2019 and on the basis of the petitioners' representation dated 01.06.2020.

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For Petitioners : Mr.R.Anand
for M/s.My Lord Law Associates

For Respondents : Mr.R.Murugaraj
Government Advocate (for R1 to R6)

Mr.Athimoolapandian (for R7)

O R D E R

Heard the learned counsel on either side.

2.All that the petitioners seek is consideration of their case under Section 34 of the Tamil Nadu Hindu Religious and Charitable Endowment Act.

3.The petitioners' counsel draws my attention to the order dated 23.10.2019 in W.P.(MD)No.64 of 2018. Paragraph No.34 of the said order reads as under:-

"....34.The final status report filed by the District Collector, Karur, on 30.01.2019, would reveal the present status of the lands, which they have categorised into five. Though the impleaded respondents have raised very many contentions that they are the bonafide purchasers and they have been in possession and enjoyments of the respective lands for years together, the same cannot be a ground to allow them to continue with their occupation in the lands, in view of the judgments cited above and the specific stand taken by the District administration and the temple administration, they have to redress their grievance only in the manner known to law. However, it is open to the Commissioner, HR & CE Department to consider the case of the respondents 11 to 239 that they have put up constructions and residing in the place for several decades, provided they come with a proposal to treat them as tenant or willing to take the lands make good the loss at the prevailing market price or prescribed by the committee and the same can be considered by the Commissioner, HR & CE Department, as per Section 34 of the HR & CE Act..."



4.The petitioners wants a similar direction and nothing else.

5.The respondents 1 and 2 are directed to consider the petition mentioned representation in accordance with law.

6.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary,
Hindu Religious and Charitable Endowment
Department, Tamil Nadu Government,
Fort St. George, Chennai-600 009.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment,
Department, 119, Nungambakkam High Road,
Chennai 600 034.
- 3.The District Collector,
Karur, Karur District 639 007.
- 4.The District Revenue Officer,
Collectorate, Karur-639 007.
- 5.The Revenue Divisional Officer,
Karur, Karur District.



6.The Tahsildar,
Manmangalam Taluk,
Karur District.

+1 CC to M/s.GP (SR-15664[F] dated 02/09/2020)

+1 CC to M/s.SATHYA CHIDAMBARAM, Advocate (SR-15726[F] dated
02/09/2020)

W.P. (MD) No.7864 of 2020
31.08.2020

SCR(CO)
TR(10.09.2020) 8P 9C