



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.09.2020
CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 11963 of 2020

and

W.M.P. (MD) Nos. 10313 and 10315 of 2020

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P.Karthik Vishwanath

... Petitioner

Vs.

1. The Hindu Religious & Charitable Endowment Department,
Rep. by its Commissioner,
Nungambakkam High Road,
Chennai-600 034.
2. The Assistant Commissioner,
The Hindu Religious & Charitable Endowment Department,
52A, Trivandrum Road,
Palayamkottai, Tirunelveli.
3. The Joint Commissioner,
The Hindu Religious and Charitable Endowment Department,
Mettu Theru, Vadiveswaram,
Nagercoil, Kanyakumari District.
4. The Inspector,
The Hindu Religious and Charitable Endowment Department,
Nagercoil (West), Nagercoil,
Kanyakumari District.
5. Arul Migu Mutharamman Thirukovil,
Represented by its Fit Person,
Manikattu Pottal,
Agastheeswaram Taluk,
Madhusoothapuram Village,
Kanyakumari District.

6. Sreenivasan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the unauthorized occupation of the sixth respondent in Coconut plantation belonging to the fourth respondent temple in Survey No.1285/2 in Rajakamangalam Village, Agastheeswaram Taluk, Kanyakumari District and consequently direct the respondents 1 to 5 to bring the Coconut Plantation by public auction.



For Petitioner : Mr.T.Lajapathi Roy
For R1 to R4 : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

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Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the Hindu Religious & Charitable Endowment Department (respondents 1 to 4).

2.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner alleges that the sixth respondent is in illegal occupation of the property belonging to the fifth respondent and this is causing loss to the religious institution. The petitioner also makes some allegations against the fourth respondent.

4.I am not inclined to go into the correctness of the said allegations.

5.The learned Special Government Pleader appearing for the Hindu Religious & Charitable Endowment Department states that the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Nagercoil, Kanyakumari District, will look into the complaint of the writ petitioner and if the allegation is true and take appropriate action for removal of the encroachment.

6.Recording the said undertaking given on behalf of the department, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

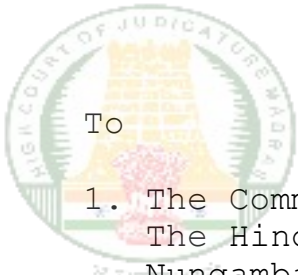
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Sub Assistant Registrar(CS)

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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 Commissioner,
The Hindu Religious & Charitable Endowment Department,
Nungambakkam High Road,
Chennai-600 034.
2. The Assistant Commissioner,
The Hindu Religious & Charitable Endowment Department,
52A, Trivandrum Road,
Palayamkottai, Tirunelveli.
3. The Joint Commissioner,
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Mettu Theru,
Vadiveswaram,
Nagercoil, Kanyakumari District.
4. The Inspector,
The Hindu Religious and Charitable Endowment Department,
Nagercoil (West), Nagercoil,
Kanyakumari District.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-17353.

+1 CC to the SPL GP SR-17569.

W.P. (MD) No.11963 of 2020
17.09.2020

AVS (CO)
CS (06.10.2020) 3P 7C