



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

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

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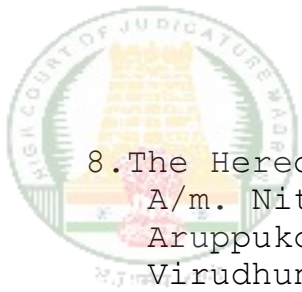
W.P. (MD)No.12052 of 2020  
and  
W.M.P. (MD)No.10384 of 2020

T.Seinambu Beevi

... Petitioner

Vs.

- 1.The Principal Secretary to Government,  
Tourism, Culture and Religious  
Endowments Department  
Government of Tamil Nadu,  
Fort St. George,  
Chennai-600 009.
- 2.The Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Uththamar Gandhi Salai,  
Chennai-600 034.
- 3.The Superintendent of Police,  
Virudhunagar,  
Virudhunagar District.
- 4.The Joint Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Sivagangai.
- 5.The Deputy Superintendent of Police,  
Aruppukottai,  
Virudhunagar District.
- 6.The Assistant Commissioner,  
Hindu Religious and Charitable  
Endowments Department  
Virudhunagar, Virudhunagar District.
- 7.The Inspector of Police,  
Aruppukottai Town Police Station,  
Aruppukottai,  
Virudhunagar District.



8.The Hereditary Trustee,  
A/m. Nithyanadha Swamy @ Malaiarasan Thirukoil,  
Aruppukottai Town and Taluk,  
Virudhunagar District.

... Respondents

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**Prayer:** Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents, their men, agents, servants and anybody claiming through them or under them from in any manner, interfering with the petitioner's peaceful possession and enjoyment of the land, situated in T.S.No.1, Ward No.A, Block No.29, Aruppukottai Town, measuring 13,832 Sq.ft., on the western side of the land measuring 1.62 acres, which absolutely belongs to the sixth respondent temple, situated in Aruppukottai Town, in the light of the pendency of the Statutory Revision filed by the petitioner on 01.09.2020, on the file of the first respondent herein against the order dated 04.05.2020 passed by the second respondent in R.P.No.146 of 2018.

For Petitioner : Mr.W.M.Abdul Majeed

For Respondents : Mr.K.P.Narayanakumar

For R1 to R7 : Special Government Pleader

#### ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents.

2.The petitioner was inducted as a lessee under the eighth respondent. The eighth respondent initiated action for evicting the petitioner herein. The petitioner suffered adverse orders both before the fourth respondent as well as the second respondent. Questioning the same, the petitioner has now moved the first respondent. The grievance of the petitioner is that even before the petitioner could exhaust the statutory remedy available to her under Section 114 of the Tamil Nadu H.R. & C.E. Act, she is sought to be evicted. The petitioner's counsel has received a notice also. It is seen from the said communication dated 04.09.2020 issued by the sixth respondent that police aid has also been sought.

3.If the petitioner is evicted, her review petition before the Government will become infructuous. Therefore, I am of the view that the eviction proceedings against the petitioner should be put on hold, till the first respondent passes order on the statutory petition filed by the petitioner on 01.09.2020. Based on the outcome of the said petition filed by the petitioner herein, the impugned action will abide.



4.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

**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

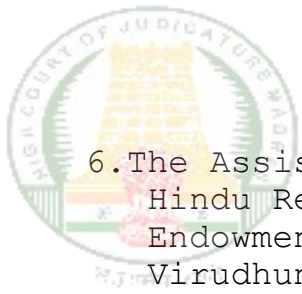
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sj i  
SDS (18.09.2020) 4P-8C