

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.4504 OF 2021

Mr.Shivasankaran

.... Petitioner

..Vs..

1. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Thiruvallur District.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
No.119, Uthamar Gandhi Salai,
Nungambakkam- 600 034.
3. The Executive Officer,
A/M Kailasanathar Thirukoil,
Vanagaram, Chennai -95.
(R3 impleaded vide order dated 26.02.2021)

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 14.12.2020 for removing all encroachment made in the temple land and construct compound wall on all side of the land belonging to the Kailasa Nathar and Vaigunda Vasa Perumal Thirukoil, comprised in Survey No.310, at Vanagaram Village, Poonamallee Taluk, Thiruvallur District.

For Petitioner : Mr.M.Antony Jesurajan
For Respondents : Mr.R.P.Prathap Singh,
Government Advocate

O R D E R

The petitioner prays for a Mandamus directing the respondents to consider his representation dated 14.12.2020 seeking the removal of encroachments made on land belonging to the Kailasa Nathar and Vaigunda Vasa Perumal Thirukoil in Thiruvallur District and also construct a compound wall to secure the lands belonging to the aforesaid temples.

2. On 26.02.2021, I had directed the respondents to file a status report and also directed that efforts be taken to evict the encroachers, since the learned counsel for the respondents had reported instructions even on that date that the temple land was under encroachments by 19 persons. On 12.03.2021, I had taken note of status report filed by the Executive Officer of the temples, that was accompanied by notices issued to the 19 encroachers and had adjourned the matter to enable continuation of proceedings against the encroachers expeditiously.

3. Today, Mr.R.P.Prathapsingh, learned counsel for the respondents would request some time for completion of the Section 78 proceedings. Thus twelve (12) weeks is granted to enable the respondents to initiate proceedings under Section 78 of the Tamil Nadu Hindu Religious and Charitable Act, 1959, where applicable and conclude the same in accordance with law.

4. This writ petition is disposed since the Mandamus as sought for stands achieved. However, a compliance report will be filed on or before 31.07.2021 and the same be placed on file by the Registry once received. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rkp

To

1. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Thiruvallur District.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
No.119, Uthamar Gandhi Salai, Nungambakkam- 600 034.
3. The Executive Officer,
A/M Kailasanathar Thirukoil, Vanagaram, Chennai -95.

+1cc to the Government Pleader, S.R.No.25445

W.P.No.4504 of 2021

KJ(CO)
CS/09/07/2021