

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.7101 of 2021

Chinnathambi

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Kallakurichi,
Kallakurichi Distrcit.

2.The Executive Officer,
Office of the Hindu Religious and Charitable
Endowment Board,
Ulundurpet,
Kallakurichi District.

3.The Tahsildar
Ulundurpet,
Ulundurpet Taluk,
Kallakurichi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to remove the illegal encroachments in lands of the Sri Srinivasa Perumal Kovil Temple, M.Kunnathur Village, Ulundurpet Taluk, Kallakurichi District in Survey Nos.573/9, 573/5, 573/8, 573/9, 573/10, 573/13 and 555/11,12,13,14,15,16, 554/15,16,22 and 556/9,10,11 pursuant to the petitioner's representation dated 09.12.2020.

For Petitioner : Mrs.R.Sangavi

For Respondents : Mr.S.Prabhu,
Spl. Government Pleader for R-2

Mr.K.S.Suresh

Government Advocate for R1 & R3

ORDER
(made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner complains of alleged encroachments on lands of the Sri Srinivasa Perumal Kovil Temple, M.Kunnathur Village, Ulundurpet Taluk, Kallakurichi District in specified survey numbers.

2. The writ petitioner alleges that four individuals, who are named in paragraph 9 of the affidavit, and others have illegally trespassed on the lands of the Sri Srinivasa Perumal Kovil Temple and erected huts thereon. In spite of submitting multiple representations to each of the respondents herein, no action has been taken.

3. The learned Special Government Pleader, Mr. Prabhu, accepts notice on behalf of the second Respondent and states that the lands in question that about the temple are lands under the control of the Revenue Department. Consequently, he states that action should be initiated by the revenue authorities.

4. Mr. Suresh, learned Government Advocate accepts notice on behalf of the first and third Respondents and submits that the third respondent would consider the representation of the petitioner and dispose of the same by a reasoned order.

5. Accordingly, without examining the merits or tenability of the representation dated 09.12.2020, the third respondent is directed to consider such representation and dispose of the same by a speaking order within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to all parties affected thereby, including those named in paragraph 9 of the affidavit.

6. W.P.No.7101 of 2021 is disposed on the above terms. There will be no order as to costs.

Sd/-
Assistant Registrar (C.O.)

//True Copy//

Sub Assistant Registrar

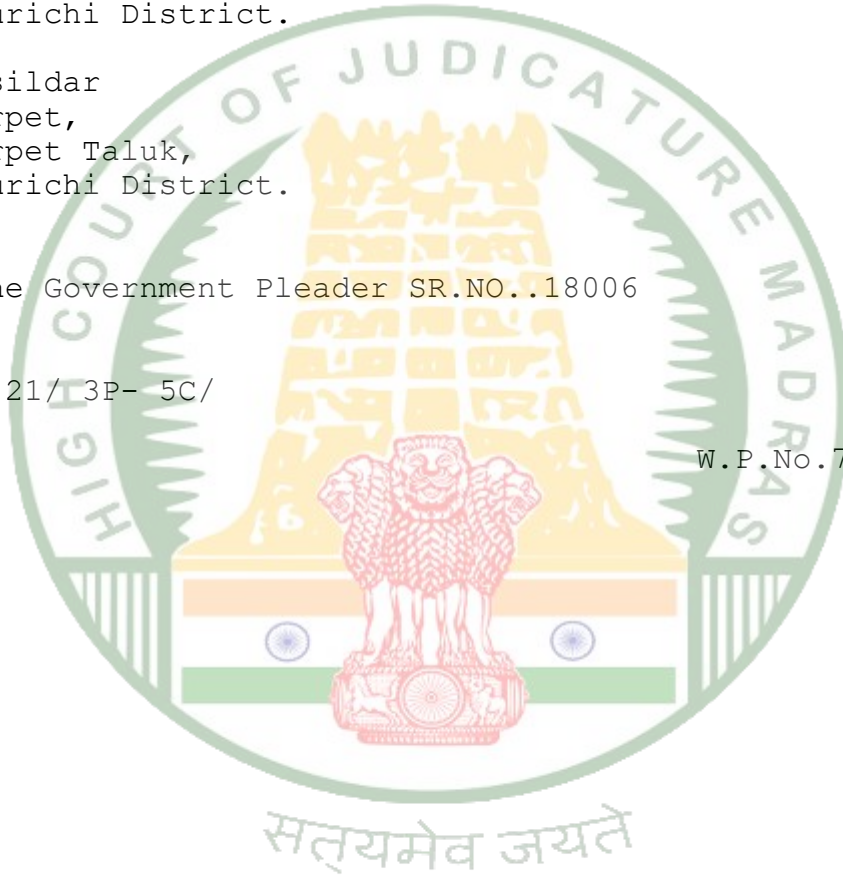
To:

- 1.The District Collector,
District Collectorate,
Kallakurichi,
Kallakurichi Distrcit.
- 2.The Executive Officer,
Office of the Hindu Religious and Charitable
Endowment Board,
Ulundurpet,
Kallakurichi District.
- 3.The Tahsildar
Ulundurpet,
Ulundurpet Taluk,
Kallakurichi District.

+1cc to The Government Pleader SR.NO..18006

AKM/30.03.21/ 3P- 5C/

W.P.No.7101 of 2021
18.03.2021



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