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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.13908 of 2021

P.C.S.Velmurugan …Petitioner

Vs

1. The Commissioner,
   Hindu Religious and Charitable Endowments,
   Chennai-34.

2. The Joint Commissioner,
   Hindu Religious and Charitable Endowments,
   Srirangam, Trichy.

3. The Assistant Commissioner,
   Hindu Religious and Charitable Endowments,
   Collector office, Ariyalur.

4. The Executive Officer,
   Adavalleeswarar Temple,
   Pasumbalur, now at Aaduthurai, Kunnam Taluk,
   Perambalur District.

5.Jayabal …Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of mandamus directing the respondent 1 to 4 to consider and pass order on the petitioner representation dated 25.06.2021 for retrieve the lands comprised in lands in S.Nos...122(5), 3(5), 280(4), 279(1), 280(5), 303 (1), 436(1), 11(12), 27(14), 32(5), 32(7), 325(1), 361(2), 226 (1), 330(2), 331(1), 226(2), 364(1), 303(1), 302(3), 11(11), 5 (4) and 331(3) situated at Pasumbalur, Veppanthattai Circle, Perambalur District, belonging to Adalvalleeswarar Temple and to conduct public auction and to lease out the said lands as per the Hindu Religious and Charitable Endowments Act.

For Petitioner : Mr.T.Dharani

For Respondents : Mr.N.R.R.Arun Natarajan
(for R1 to R4)Government Advocate

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O R D E R

The petitioner seeks a mandamus directing the respondents 1 to 4 being the official authorities of the HR&CE Department/R1 to R3 and the Executive Officer of Adalvalleeswarar Temple, Perambalur District/R4 to dispose the petitioner's representation dated 25.06.2021, retrieve the lands comprised in S.Nos.122(5), 3(5), 280(4), 279(1), 280(5), 303(1), 436(1), 11(12), 27(14), 32(5), 32(7), 325(1), 361(2), 226(1), 330(2), 331(1), 226(2), 364(1), 303(1), 302(3), 11(11), 5(4) and 331(3) belonging to the temple, to conduct the public auction and to lease out the same. The petitioner has also alleged in the course of the writ petition that R5 is encroaching upon the lands in question.

2. A memo has been filed by the Executive Officer/R4 enclosing various documents in support of the position that (i) R5 is not in occupation of any of the temple lands; (ii) that a request has been made to the Joint Commissioner seeking permission to auction the lands in question.

3. Recording the aforesaid, this writ petition is disposed. The Joint Commissioner will look into the request for auction of the temple lands and pass orders thereupon within a period of four (4) weeks from today and R3 & R4 will ensure that the lands are auctioned at the earliest to garner revenue for the temple, in accordance with the applicable regulations. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Commissioner,
   Hindu Religious and Charitable Endowments,
   Chennai-34.

2. The Joint Commissioner,
   Hindu Religious and Charitable Endowments,
   Srirangam, Trichy.

3. The Assistant Commissioner,
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4. The Executive Officer,
   Adavalleeswarar Temple,
   Pasumbalur, now at Aaduthurai, Kunnam Taluk,
   Perambalur District.

+1cc to Mr.T.Dharani, Advocate, S.R.No.33357

+1cc to the Government Pleader, S.R.No.32995

W.P. No.13908 of 2021

GP(CO)
CT/03/09/2021

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