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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.22455, 22458, 22462, 22475, 22481,
22491 and 22497 of 2021

- | | |
|----------------------|---------------------------------------|
| 1. S.Sathishkumar | ... Petitioner in WP No.22455 of 2021 |
| 2. P.Ratchagar | ... Petitioner in WP No.22458 of 2021 |
| 3. S.Subhashini | ... Petitioner in WP No.22462 of 2021 |
| 4. S.Prakash | ... Petitioner in WP No.22475 of 2021 |
| 5. J.Selvam | ... Petitioner in WP No.22481 of 2021 |
| 6. J.Ramasubramanian | ... Petitioner in WP No.22491 of 2021 |
| 7. G.Balasubramaniam | ... Petitioner in WP No.22497 of 2021 |

vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

2.The Executive Officer,
Arulmighu Agastheeswar Temple,
Nemilichery, Pallavaram,
Chennai - 600 044.

3.The Tashildar,
O/o. Tashildar,
Pallavaram,
Chennai - 600 044.

4.The Head Surveyor,
Pallavaram Taluk Office,
Pallavaram,
Chennai - 600 044.

... Respondents in all WP's



Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 3 and 4 to consider and pass orders on the petitioner's representation dated 05.07.2021, regarding to depute the Head Surveyor to demarcate the boundaries of the land in Survey of lands in S.No.5/2 and 108/3 in Zamin Pallavaram Village, Alandur Taluk, Chengalpattu District (Plot No.6)4, 7, 6, 8(10 & 10A) 11 and 600, 780, 1200, 2400, 1230 (688 & 994), 882 Sq.Ft respectively of the petitioner land in S.No.108/3 and if it is found that the land does not belongs to the temple to hand over the same to the petitioner and in the event it is found that the said land belongs to the temple, to lease out the same to petitioner in order to continue possession of said land.

For Petitioner : Mr.J.Muthukumaran
(in all WPs)

For R1, R3 and R4: Mr.Yogesh Kannadasan
Special Government Pleader
(in all WPs)

For R2 : Mr.A.K.Sriram
for A.S.Kailasam and Associates
(in all WPs)

COMMON ORDER

These writ petitions have been filed to issue a Writ of Mandamus, directing the respondents 3 and 4 to consider and pass orders on the petitioners' representation dated 05.07.2021 regarding to depute the Head Surveyor to demarcate the boundaries of the respective subject lands and if it is found that the said lands does not belong to the temple to hand over the same to the petitioners and in the event it is found that the said lands belong to the temple, to lease out the same to the petitioners in order to continue possession of the said lands.

2. Considering the limited relief sought for in these petitions, without expressing any opinion on merits of these writ petitions, the 3rd respondent is directed to issue notice on the application submitted by the petitioners to survey their respective subject lands to the petitioners, the respondents 1 and 2 herein and counter parties, if any and also the adjacent land owners to the subject lands and after giving opportunity of hearing to them, pass orders to survey the subject lands on payment of requisite fees, within a period of twelve weeks from the date of receipt of a copy of this order.



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3. With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

dm

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.
- 2.The Executive Officer,
Arulmighu Agastheeswar Temple,
Nemilichery, Pallavaram,
Chennai - 600 044.
- 3.The Tashildar,
O/o. Tashildar,
Pallavaram,
Chennai - 600 044.
- 4.The Head Surveyor,
Pallavaram Taluk Office,
Pallavaram,
Chennai - 600 044.

+1cc to A.S.Kailasam and Associates, Advocate SR.No.62306

+7ccs to Mr.J.Muthukumaran, Advocate SR.No.62120, 62050, 62051,
62048, 62047, 62046, 62049

+1cc to Government Pleader SR.No.62657

W.P.Nos.22455, 22458, 22462, 22475,
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VBM(CO)
GMY(13/12/2021)