



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD)No.2120 of 2020

WEB COPY

R. Kannan

... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Mayiladudurai.

2. The Assistant Commissioner,
Hindu Religious & Charitable
Endowments Department,
Kumbakonam,
Thanjavur District.

3. The Inspector,
Hindu Religious & Charitable
Endowments Department,
Thiruvidaimaruthur,
Thanjavur District.

4. The Fit Person,
A/m. Karuneeshwarar Thirukovil,
Krishnapuram,
Thiruvidaimaruthur Taluk,
Thanjavur District.

... Respondents

(R.4 is impleaded vide order of this Court
dated 30.07.2021 in WMP(MD)No.10866
of 2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachments made in S.No.81/2 (0.15 Ac. Cents), 0.90/50 Hec./Ares - Nanja and 0.22.0 Hec/Ares - Punja lands that belongs to Arulmigu Karuneeshwarar Thirukoil, situated at Krishnapuram Village, Thiruvidaimaruthur Taluk, Thanjavur District within a time stipulated time as fixed by this Court.



For Petitioner : Mr.B. Anandan
For Respondents : Mr.P. Thilak Kumar
Government Pleader for R1 to R3
: Mr.V. Chandrasekar
for R.4

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ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition, as a Public Interest Litigation, directing the respondents to remove the encroachments made in Survey No.81/2 belonging to the fourth respondent temple within a time frame.

2. When the Writ Petition is taken up for hearing, Mr.V.Chandrasekar, learned Counsel appearing for the fourth respondent, submitted that the fourth respondent has already taken steps to remove all the encroachments including the encroachments made in Survey No.81/2, by issuing notice to the encroachers under Section 78 of the Hindu Religious and Charitable Endowments Act.

3. The learned Counsel appearing for the petitioner submitted that in view of the submission made by the learned Counsel appearing for the fourth respondent, this Writ Petition may be closed.

4. Recording the submission made by the learned Counsel appearing on either side, the Writ Petition stands closed. It is needless to say that the fourth respondent shall complete the steps taken for removing the encroachments as expeditiously as possible. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

SSL

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

1. The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Mayiladudurai.

2. The Assistant Commissioner,
Hindu Religious & Charitable
Endowments Department,
Kumbakonam,
Thanjavur District.

3. The Inspector,
Hindu Religious & Charitable
Endowments Department,
Thiruvaidaimaruthur,
Thanjavur District.

+1 CC to M/s.V.CHANDRASEKAR, Advocate (SR-27688[F] dated
31/08/2021)

+1cc to SPL GP (SR-27879[F] dated 02/09/2021)

W.P (MD) No.2120 of 2020
31.08.2021

ES (CO)
SB(17.09.2021) 3P 6C