



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. [MD]No.7005 of 2021

A.M.Sundaravel

... Petitioner

Vs.

1.The Principal Secretary
Hindu Religious and Charitable
Endowment Department
State of Tamil Nadu
Chennai 600 009

2.The Commissioner
Hindu Religious and Charitable
Endowment Department
State of Tamil Nadu
119, Uthamar Gandhi Street
Nungampakkam
Chennai 600 034

3.The District Collector
Tirunelveli District
Tirunelveli

4.The Joint Commissioner
Hindu religious and Charitable
Endowment Department
Tirunelveli

5.The Executive Officer
Panagudi Ramalingaswamy Udanurai
Sivagamiambal and Singaperumal Temple
Panagudi
Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to remove the encroachments made in the temple's property namely "Panagudi Ramalingaswamy Udanurai Sivagamiambal and Singaperumal Temple", Panagudi at Tirunelveli District and consequently directing the respondents to collect the arrears of rents for the said temple's property from the users and lessees of temple's property as per law.



For Petitioner : Mr.A.M.Sundaravel
(Party in Person)
For Respondents 1 to 4 : Mr.R.Baskaran
Standing Counsel for Government

ORDER

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[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.A.M.Sundaravel, Party in person and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents 1 to 4.

2.The petitioner, who is appearing in person, seeks for issuance of a Writ of Mandamus to remove the encroachments made in the temple property namely "Panagudi Ramalingaswamy Udanurai Sivagamiambal and Singaperumal Temple", Panagudi at Tirunelveli District and directing the respondents to collect the arrears made for the said temple property.

3.The petitioner has not mentioned as to who are the encroachers and he has not impleaded any particular person as a respondent, who has encroached the temple property. However, in the typed set of papers, the petitioner has filed certain information obtained under Right to Information Act which *prima facie* shows that there is encroachment of temple land. It is not clear as to why the Executing Officer has not taken appropriate action, if there is encroachment.

4.In the light of the same, we direct the fourth respondent to consider the representation dated 31.05.2020 and direct the inspection be conducted on all the properties owned by the said temple by issuing appropriate direction to the fifth respondent. After identification of the encroachment, if any, appropriate action should be taken under the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act so as to preserve and get back the temple properties. The above direction be complied with within a period of four months from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



ogy/msa

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 Principal Secretary
Hindu Religious and Charitable
Endowment Department
State of Tamil Nadu, Chennai 600 009

2.The Commissioner
Hindu Religious and Charitable
Endowment Department
State of Tamil Nadu
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Nungampakkam , Chennai 600 034

3.The District Collector
Tirunelveli District
Tirunelveli

4.The Joint Commissioner
Hindu religious and Charitable
Endowment Department, Tirunelveli

+1 CC to M/s.SPL GP (SR-19358[F] dated 15/06/2021)

ORDER MADE IN
W.P. [MD]No.7005 of 2021

11.06.2021

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