



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10641 of 2021

WEB COPY

T.Sengaimaran

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam,
Chennai - 600 034.
2. The District Collector,
Office of the District Collector,
Sivagangai District.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai, Sivagangai District.
4. The Executive Officer,
Hindu Religious and Charitable
Endowments Department,
Arulmigu Gowri Vinayagar Thirukovil,
Sivagangai, Sivagangai District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents to demolish the encroachment building in seized by the fourth respondent in the property for Arulmigu Gowri Vinayagar Temple in Survey Nos.330/2, 335/3A, 335/3C to the total extent of 9 Acre 58 Cents at Maha Sivanenethal, Kanjarankal Group, Sivagangai Taluk, Sivagangai District within a time frame that may be stipulated by this Court.

For Petitioner

: Mr.R.Udhayakumar

For respondents

: Mr.R.Baskaran,
Government Counsel
for R1 to R3
Mr.V.R.Shanmuganathan,
for R4



ORDER

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

We have heard Mr.R.Udhayakumar, learned counsel appearing for the petitioner; Mr.R.Baskaran, learned Government Counsel appearing for the respondents 1 to 3 and Mr.V.R.Shanmuganathan, learned counsel appearing for the fourth respondent.

2. The writ petitioner by way of this writ petition seeks for a direction upon the respondents to demolish the encroachment building, seized by the fourth respondent in the property for Arulmigu Gowri Vinayagar Temple in Survey Nos.330/2, 335/3A, 335/3C to the total extent of 9 Acre 58 Cents at Maha Sivanenethal, Kanjarankal Group, Sivagangai Taluk, Sivagangai District.

3. The learned counsel appearing for the Executive Officer of the Temple submitted that already demolition notice has been issued and the encroacher has been granted time to remove the offending obstruction. In the event, if the encroacher does not remove the offending obstruction within the time fixed by the respondent-Temple, the Temple Authority shall demolish the construction and recover the entire cost from the encroacher.

4. The learned counsel appearing for the petitioner submitted that in spite of the earlier direction issued in the year 2018, only now the Authorities have taken action and therefore, prays that a reasonable time may be given to the Authorities to complete the action.

5. In the light of the above, the above direction be complied with by the Authorities within a period of twelve weeks from the date of receipt of a copy of this order, to remove the encroachment. Accordingly, the **writ petition stands disposed of**. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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:

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