



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Eleventh Day of January, Two Thousand and Eighteen

PRESENT:

The Hon`ble Mr.Justice **N.KIRUBAKARAN**
AND
The Hon`ble Mrs.Justice **R.THARANI**

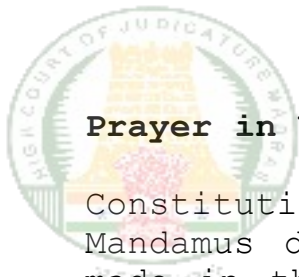
WP(MD).No. 95/ 2018

A.RADHAKRISHNAN

... Petitioner

- Vs. -

- 1 THE SECRETARY TO GOVT.,
REVENUE DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
- 2 THE SECRETARY TO GOVT.,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
- 3 THE SECRETARY TO GOVT.,
PUBLIC WORKS DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
- 4 THE COMMISSIONER OF LAND ADMINISTRATION,
CHEPAUK, CHENNAI - 600 005.
- 5 THE COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
119, NOONGAMPACKAM HIGH ROAD,
CHENNAI - 600 034.
- 6 THE DISTRICT COLLECTOR,
KARUR, KARUR DISTRICT.
- 7 THE DISTRICT REVENUE OFFICER,
KARUR, KARUR DISTRICT.
- 8 THE ASSISTANT COMMISSIONER / EXECUTIVE OFFICER,
ARULMIGHU KALYANA VENGATARAMANA SWAMY TEMPLE,
KARUR.
- 9 THE COMMISSIONER OF REVENUE ADMINISTRATION,
CHEPAUK, CHENNAI.



Prayer in WP(MD) .No.95/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the 6th respondent to remove the encroachment made in the Temple lands in Survey Nos.748, 779, 783, 784, 790, 793, 797 having extent of 16.36.0 Hectare land in Thanthoni Village, Karur Taluk and District by the 3rd respondent.

ORDER: This Petition coming on for hearing on this day, upon perusing the affidavit and material papers filed, and upon hearing the arguments of Mr. A.RADHAKRISHNAN, Party - in - Person, and of Mr.V.R.SHANMUGANATHAN, Special Government Pleader on behalf of the Respondents No.1 to 7, and of Mr.P.ATHIMOOLAPANDIAN, Advocate for the 8th Respondent, this Court made the following order:

ORDER

(Order of this Court was made by **N.KIRUBAKARAN, J**)

Since the property of the Temple to an extent of 40 acres 40 cents has been acquired as early as 1988 and the possession has been taken and the said land has been put to use by constructing Collectorate building for Karur District and no compensation has been paid to the Temple so far. Strictly speaking, compensation has to be paid as per the new Act.

2.The Commissioner of Revenue Administration, Chepauk, Chennai-5, is an appropriate party in this Writ Petition and therefore, this Court is inclined to implead the Commissioner of Revenue Administration, Chepauk, Chennai-5 as respondent. Accordingly, the Commissioner of Revenue Administration, Chepauk, Chennai-5 is *suo-motu* impleaded as 9th respondent.

3.However, considering the public interest involved in the property in question, it is appropriate to direct the Commissioner of land Administration, the Commissioner of Hindu Religious and Charitable Endowment Department and the Commissioner of Revenue Administration, to sit together and to decide about the quantum of compensation to be paid and also to decide about the rate of interest to be applied in this case.

4.While considering the issue, the Committee shall also consider the representation being made by the petitioner namely A.Radhakrishnan and the said representation shall be submitted to the aforesaid committee within a period of one week from today.

5.Today when the matter was taken up for hearing, the District Collector, Karur, the Superintendent of Police, Karur, the District Revenue Officer, Karur and the Additional Director of Land Revenue, Karur, have appeared before this Court and their presence is dispensed with.



6. Post the matter before this Court on 15.02.2018.

Sd/-

Assistant Registrar(CO)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

- 1 THE SECRETARY TO GOVT.,
REVENUE DEPARTMENT,
SECRETARIAT, CHENNAI - 9.
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HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
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KARUR, KARUR DISTRICT.
- 8 THE COMMISSIONER OF REVENUE ADMINISTRATION,
CHEPAUK, CHENNAI.

ORDER DATED : 11.01.2018

HEARING DATE : 15.02.2018

ORDER

WP(MD) .No. 95/ 2018

Giving directions etc., as
stated within.