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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11719 OF 2022

AND

WMP.NO.11183 OF 2022

P.Dhanasekaran

... Petitioner

Vs.

1. The District Collector,
Namakkal District, Namakkal.
2. The Commissioner,
Hindu Religious and Charitable Endowment,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.
3. The Assistant Commissioner,
HR & CE Department,
Salem.
4. The Tahsildar,
Tiruchengode, Namakkal District.
5. The Village Administrative Officer,
Pudupalayam Agraharam,
Tiruchengode Taluk, Namakkal District.
6. The Sub Registrar,
Pallipalayam Sub Registrar Office,
Pallipalayam, Komarapalayam Taluk,
Tiruchengode Taluk,
Namakkal District.
7. K.Palanisamy
8. A.S.Kuppusami
9. S.Kotiswaran
- 10.E.Masilamani
- 11.Papathi



12.Poosappan

13.K.Arthanari

14.Arumugam

15.M.Jeyakumara Muthu Privia Gounder

16.P.Shanmugam

17.P.Kumarasamy

18.K.Marimuthu

19.Thilagavathi

20.Velappan

21.Mallika

22.K.Shanmugam

23.C.Mohandass

24.K.Gurusamy

25.O.V.Arunachalam

26.Kolandaisamy Pandaram @ Palaniappa Pandaram

27.Arumuga Pandaram

28.Subramanian

29.Muruga Pandaram (Died)

30.Palaniappan

31.Muthusamy

32.Kolandayi Ammal

33.Nallammal

34.Duraisamy

35.Subban

36.Chellappa Gounder



37.Chinnammal

38.Rajammal

39.Selvi

40.Kalaiselvi

41.Sakunthala

42.Santhi

43.The Executive Officer,
Shiva Vishnu Temple, Sankagiri.

44.A.Kumarappan (Died)

45.A.Shanmugam

46.P.Subramaniam

47.S.Pongiannan

48.S.Ramasamy

49.K.Karuppannan

... Respondents

PRAYER:

This Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus directing the 6th respondent to revoke the respective sale deeds of Respondents 7 to 42 herein and any other connected deeds against Pudupalayam Agraharam Sri Vinayakar Temple in Survey Nos. 40/1 and 40/3 and Patta No.242 at Pudupalayam Agraharam, Alampalayam Post, Tiruchengode Taluk, Namakkal District and direct the 3rd respondent to secure the Sri Vinayakar Temple situated in S.Nos.40/1 and 40/3 Pudupalayam Agraharam, Alampalayam Post, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.S.Kolandasamy

For RR1,4,5 & 6 : Mr.Yogesh Kanndasan
Special Government Pleader

For RR2 and 3 : Mr.Arunnatarajan
Special Government Pleader (HR&CE)



Order

This petition has been filed for issuance of writ of Mandamus to direct the 6th respondent to revoke the respective sale deeds of Respondents 7 to 42 herein and any other connected deeds against Pudupalayam Agraharam Sri Vinayakar Temple and direct the 3rd respondent to secure the said Temple.

2. When the matter is taken up for hearing, the learned Special Government Pleader appearing for the HR&CE Department submitted that the disputed property belongs to the Pudupalayam Agraharam Sri Vinayakar Temple and earlier Service Inam was granted in favour of the respondents 25 to 35 for the purpose of conducting poojas. However contrary to the conditions, the private respondents viz., respondents 25 to 35 had alienated the property without any authority and therefore, the HR&CE Department are taking effective steps against the said illegal act of the private respondents.

3. The learned counsel appearing for the petitioner submitted that since the learned Special Government Pleader (HR&CE) himself came before this Court and agreed to take appropriate action against the said illegal transactions of the private respondents, this Court may pass appropriate orders.

4. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents 2 and 3 to take appropriate action against the said alleged illegal act of the private respondents as expeditiously as possible in accordance with law.

5. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sk

To

1. The District Collector,
Namakkal District, Namakkal.



2. The Commissioner,
Hindu Religious and Charitable Endowment,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.

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3. The Assistant Commissioner,
HR & CE Department,
Salem.

4. The Tahsildar,
Tiruchengode, Namakkal District.

5. The Village Administrative Officer,
Pudupalayam Agraharam,
Tiruchengode Taluk, Namakkal District.

6. The Sub Registrar,
Pallipalayam Sub Registrar Office,
Pallipalayam, Komarapalayam Taluk,
Tiruchengode Taluk,
Namakkal District.

+1cc to Mr.S.Kolandasamy, Advocate, S.R.No.33387

+1cc to the Government Pleader, S.R.No.33716

+1cc to the Special Government Pleader (HR & CE), S.R.No.32676

W.P.No.11719 of 2022

AKII (CO)
PM/20/06/2022