



W.P.No.15918 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.15918 of 2022

Arun Ganapathy

... Petitioner

Vs

- 1.The Executive Officer,
Sri Mangala Lakshmi Udanurai Alagu
Raja Perumal Thirukkoil,
Thakkolam Village,
Arakonam Taluk, Ranipet District.
- 2.The Assistant Commissioner,
Hindu Religious & Charitable Endowments,
Arakonam Taluk, Ranipet District.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowments,
Arakonam Taluk, Ranipet District.
- 4.The Commissioner,
Hindu Religious & Charitable Endowments,
N0.118, Uthamar Gandhi Road,
Nungambakkam, Chennai - 34.
- 5.The District Collector,
Collectorate Ranipet,
Ranipet.



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6.Karimullah

7.Ammu

8.Dhanapal

9.Senthamarai

10.Sankar

11.Annamalai

12.Saravanan

13.Melin Bai

14.Selvam

15.Shek Jeyaluddin

16.Rajambal

17.Ganesan

18. Asha

19.Meenakshi

20.Perumal

21.Selva

22.Dhanalakshmi

23.Masthan



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24.Muniyammal

25.Sankar

26.Sampath

27.Sankar

28.Pancha

29.Kumar

30.Elumalai

31.Gopi

32.Palani

33.Kanniappan

34.Nilavathi

35.Ashokan

36.Selvaraj

37.Sekar

38.Basha

39.Krishnan

40.Janakiammal

41.Abibu Rahman



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42.Muniyammal

43.Vadivammal

44.Nagalingam

45.Najeer

46.Sowndharajan

47.Shanmugam

48.Jayanthi

49.Dhamu

50.Jayapal

51.The Inspector of Police,
Thakkolam Police Station,
Ranipet District .

52.The Thasildar,
Arakkonam Taluk,
Ranipet District.

(R51 & R52 are suo motu impleaded
vide order of this Court in

W.P.No.15918 of 2022 dated 27.06.2022)

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary and appropriate steps to evict the encroachers 6 to 50 under Section 78 of the Tamil Nadu Hindu Religious and Charitable



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Endowments Act, 1959 (Tamil Nadu Act 22 of 1959) as per the order dated 03.12.2021 passed by the third respondent to retrieve the subject temple as per the order of the third respondent within a stipulated time.

For Petitioner : Ms.Kalpana AK

For Respondents :

For R1 to R4 : Mr.N.R.R.Arun Natarajan
Special Government Pleader

For R5 : Mr.M.Shahjahan
Special Government Pleader

ORDER

Mr.N.R.R.Arun Natarajan, learned Special Government Pleader takes notice on behalf of the first to fourth respondents and Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the fifth respondent.

2. After hearing the learned counsel for the petitioner and the learned Special Government Pleaders for the respondents, this writ petition is being disposed at the time of admission, by dispensing with notice and counter of the private respondents, in the light of the order



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passed by the Joint Commissioner the third respondent under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959, against the encroachers on 03.12.2021.

3. The official respondents are therefore directed to consider the petitioner's representation and pass appropriate orders in the light of the aforesaid order and also after considering the fact as to whether any revision petition has been filed under Section 21 of the Hindu Religious and Charitable Endowments Act, 1959, before the commissioner, within a period of six weeks from the date of receipt of a copy of this order.

4. Needless to state, before evicting the encroachers, due process of law shall be complied by the official respondents. Considering the fact that the Police and the Revenue Authorities are required for taking such steps, the Inspector of Police, Thakkolam Police Station, Ranipet District and the Thasildar, Arakkonam Taluk, Ranipet District are suo motu impleaded as Respondent Nos.51 & 52 in this case.



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5. This Writ Petition stands disposed of in terms of the above observations. No costs.

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Index : Yes/ No
Internet : Yes/No
Speaking/Non-Speaking Order

arb

Note:

Registry is directed to carry out the necessary corrections in the cause title before issuing the order copy.

To

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- 3.The Joint Commissioner,
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C.SARAVANAN, J.

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