



W.P.No.32866 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.12.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

W.P.No.32866 of 2022

R.Jothi

... Petitioner

Vs.

1.The State of Tamilnadu
Rep. by its secretary to Government
Religious Endowment Department
Fort St. George Secretariat, Chennai 600 009

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

3.The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Vellore, Vellore District – 9

4.The Assistant Commissioner
Hindu Religious and Charitable Endowment Department
Thiruvallur, Thiruvallur District



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5.The Executive officer
Hindu Religious and Charitable Endowment Department
Arulmigu Varadha Raja Perumal /
Arul Migu Aagambaranadhar Tirukoil
Minjur, Thiruvallur District 601 203

6.The Revenue Divisional Officer
Ponneri, Thiruvallur District

7.The Thasildar
Ponneri Taluk Office
Ponneri, Thiruvallur District

8.The Inspector of Police
Minjur Police Station
Minjur, Thiruvallur District 601203

9.D.S.Balachandra Babu

10.T.Shek Ahamed
(Roja Fancy Store)
No.191, New No.390/1
T.H.Road, Minjur, Thiruvallur District 601203

11.D.V.S.Higher Secondary School
Rep. by its Correspondent Mr.D.S.Balachandra Babu
T.H.Road, Minjur, Thiruvallur District 601203

12.Mani Talkies
Rep. by its proprietor Mr.D.S.Balachandra Babu
T.H.Road, Minjur, Thiruvallur District 601203

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India
praying for issuance of Writ of Mandamus, to direct the 1st to 5th



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respondents to consider and thereby disposing the representation made by petitioner on 04.02.2020, 20.03.2020 and 17.07.2020 for to restore back to the petitioner premises occupied by him prior to his forceful eviction on November 2019 respect to the property belongs to Arulmigu Aagambaranatharar Tirukoil and Kamatchi Amman Tirukoil, survey Nos.205/3A, 205/2A, 208, 205/23B1, 205/3B1, 207/5B, 213/3A1, Minjur, Thiruvallur District.

For Petitioner : Mr.K.Yuvaraj
For Respondents : Mr.N.R.R.Arun Natarajan
Special Govt. Pleader (HR&CE)
For R1 to R8

ORDER

The Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, to direct the 1st to 5th respondents to consider and thereby disposing the representation made by petitioner on 04.02.2020, 20.03.2020 and 17.07.2020 for to restore back to the petitioner premises occupied by him prior to his forceful eviction on November 2019 respect to the property belongs to Arulmigu Aagambaranatharar Tirukoil and Kamatchi Amman Tirukoil, survey



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Nos.205/3A, 205/2A, 208, 205/23B1, 205/3B1, 207/5B, 213/3A1,

Minjur, Thiruvallur District.

2.It is the contention of the learned counsel for the petitioner that the petitioner was in possession of the temple property from his father's period from 1968 and continued his business till September 2018, however, some third parties have evicted him forcibly. Now, the respondent No. 9, 10, 11 and 12 have encroached the said portion and constructed shops, school, cinema theatre etc., Thereby, several representations have been given by the petitioner to measure the property and to restore the petitioner in the said premises. However, the same was not considered by the authorities. Hence the petition.

3.Mr.N.R.R.Arun Natarajan, the learned Special Government Pleader takes notice for the respondents 1 to 8. On instructions he submitted that the property cited by the petitioner is a private property and it has no connection with the temple property. Revenue records to that effect is also placed before this Court.



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4.Such view of the matter, this Writ Petition stands dismissed. If the petitioner wants to pursue his remedy, it is for him to establish the same before the Civil Court and not by way of filing Writ Petition. No costs.

07.12.2022

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Index : yes / no

Internet : yes / no

Speaking / Non speaking

To

1.Secretary to Government
The State of Tamilnadu
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N.SATHISH KUMAR, J.

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