



W.P.Nos.17653 of 2020 and 8912 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. Nos.17653 of 2020 and 8912 of 2022
and W.M.P.Nos.21897 & 21898 of 2020
and W.M.P.Nos.8760, 8761, 8762 & 8764 of 2022

W.P.No.8912 of 2022:

1. S.Thamizhkuzhalyazhazhagi
2. V.Abdul Majidh
3. D.Shaunmuganathan
4. S.Bhuvaneshwari
5. Kumari
6. R.Lakshmid devi
7. K.Balamurugan
8. S.Jothi Ramalingam

... Petitioners

W.P.No.17653 of 2010:

1. K.M.Dass



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2. S.Gunasekaran
3. V.S.Murugan
4. P.Kumari
5. S.Yuvaraj
6. D.Thanigaiselvi
7. V.Gnanamanikandan
8. K.Balamurugan
9. B.Tamilselvi
10. G.Thamizhkuzhalyazhazhagi
11. R.Lakshmi
12. D.Shamuganathan
13. S.Jothi Ramalingam
14. V.Abdul Majeeth
15. K.Seenuvasan
16. S.Buvaneshwari
17. E.Thirugnanasambandam
18. R.Santhi
19. M. Rajan
20. S.Thangamani
21. S.Loganathan
22. P.Ravichandran
23. J.Mujibur Rahman
24. D.Manivannan



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25. P. Rani
26. V. Pachaiyammal
27. M. Jegadeesan
28. A. Jayachandran
29. K. Mallika
30. M. Prema
31. S. Kuppusamy
32. S. Subashini
33. R. Maragatham
34. R. Gurulingam
35. M.P. Venugopal
36. E. Abhineshwaran
37. R. Devika
38. V. Srividya
39. A.Rani
40. S. Santhanam

... Petitioners

Vs.

1. The District Collector,
Villupuram District, Villupuram.
2. The Commissioner,
H.R. and C.E. Department, Nungambakkam,
Chennai-600 034.



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3. The Joint Commissioner,
H.R. and C.E. Department, Villupuram,
Villupuram District.

4. The Assistant Commissioner,
H.R. and C.E. Department, Villupuram
Villupuram District.

5. The Revenue Divisional Officer,
Tindivanam, Villupuram District.

6. The Tahsildar,
Tindivanam, Tindivanam Taluk,
Villupuram District.

7. Arulmighu Swamy Thindineeswarar Temple
Rep. by its Assistant Commissioner,
Tindivanam Town,
Villupuram District.

... Respondents in both W.P.'s

8. The Assistant Electricity Engineer,
Electricity Administration, TANGEDCO,
Tindivanam, Villupuram District.

...Respondent in W.P.No.8912 of 2022

PRAYER in W.P.No.17653 of 2022: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents No. 1, 5 and 6 herein to take necessary action to measure the landed property of the petitioners herein and identify four boundaries situated in survey No. 64/1, of Tindivanam Village, Tindivanam Taluk, Villupuram District for issuing Sub Division Patta for each petitioner and



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allow them to live peaceful life based on their representation dated 24.09.2018.

PRAYER in W.P.No.8912 of 2022: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorari, to call for the records relating to impugned order of the 7th respondent in Na. Ka. No. 1149/2019-5/B3 dated 29.03.2022 and quash the same.

For Petitioner : Mr.S.Kumaradevan

(Both W.P's)

For Respondents 1 to 6 : Mr.N.R.R.Arun Natarajan
(Both W.P's) Special Government Pleader
for (HR&CE)

For Respondent 7 : Mr.S.Sithirai Anandan
(Both W.P's)

COMMON ORDER

The W.P.No.17653 of 2010 has been filed seeking a direction to the respondents 1, 5 & 6 to measure the property of the petitioners and identify four boundaries situated in survey No. 64/1, of Tindivanam Village, Tindivanam Taluk, Villupuram Distrit for issuing Sub Division Patta to each petitioner and allow them to live peaceful life based on their representation



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dated 24.09.2018.

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2. The Writ Petition in W.P.No.8912 of 2022 has been filed challenging the notice dated 29.03.2022 issued by the seventh respondent under Section 78(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 to vacate the premises on the ground that the petitioners are encroachers' of the temple property.

3. The grievance of the petitioners is with regard their title over the property. Hence, the petitioners have to file a civil suit as civil disputes cannot be decided in writ jurisdiction.

4. With the above observation, the Writ Petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

12.12.2022

Index :Yes/No
Internet:Yes/No
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To

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3. The Joint Commissioner,
H.R. and C.E. Department, Villupuram,
Villupuram District.
4. The Assistant Commissioner,
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5. The Revenue Divisional Officer,
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6. The Tahsildar,
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7. The Assistant Commissioner,
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Tindivanam Town,
Villupuram District.
8. The Assistant Electricity Engineer,
Electricity Administration TANGEDCO
Tindivanam, Villupuram District.



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N. SATHISH KUMAR, J.

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