



WP No.22667 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WP No.22667 of 2023
and WMP No.22123 of 2023

Sri Suyambu Thee Paancha Amman Arakkattalai
Poonamallee High Road, Mettukulam,
Koyambedu, Chennai 600 107, rep. by its
Founder and Author G.Chandran.

... Petitioner

-VS-

1. The District Collector,
Madras District, Office of the District
Collector, Singaravelar Maaligai,
Rajaji Salai, Chennai 600 001.
2. The Commissioner,
Hindu Religious and Charitable Endowment
Board, Nungambakkam High Road,
Nungambakkam, Chennai 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowment
Board, No.130, R.K.Mutt Road,
Mylapore, Chennai 600 004.
4. The Executive Officer,
Sri Kurungaleeswarar and Vaigundavasa
Perumal Temple, Koyambedu,
Chennai 600 107.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the authorities namely respondents 1 to 4 to survey the temple lands, attached to Sri Kurungaleeswarar and Vaigundavasa Perumal Temple, Koyambedu, Chennai 600 107 set out in the tabular column below and identify the same and consequently remove the encroachment if any.

<i>Sl.No.</i>	<i>Property Details</i>	<i>Paimash No.</i>	<i>Village No.</i>	<i>Extent</i>
1.	Ramalingam Garden	817	171, Koyambedu	Kani 2-1-10
2.	Ramalingam Garden	819	171, Koyambedu	Kani 0-11-8
3.	Eda Theru Garden	837	171, Koyambedu	Kani 2-10-0
4.	Eda Theru Garden	838	171, Koyambedu	Kani 1-6-14
5.	Eda Theru Garden	839/1	171, Koyambedu	Kani 8-3-14
6.	Vaikka Chetty Garden	940	171, Koyambedu	Kani 0-11-8
7.	Vaikka Chetty Garden	941	171, Koyambedu	Kani 0-10-2
8.	Vaikka Chetty Garden	943	171, Koyambedu	Kani 0-7-4
9.	Vaikka Chetty Garden	945	171, Koyambedu	Kani 1-8-12
10.	Vaikka Chetty Garden	961	171, Koyambedu	Kani 0-6-10
11.	Devasthanam Garden	973	171, Koyambedu	Kani 1-13-8
12.	Devasthanam Garden	974	171, Koyambedu	Kani 0-5-4
13.	Devasthanam Garden	1020	171, Koyambedu	Kani 0-3-10
14.	Temple lands	975	171, Koyambedu	Kani 0-1-14
15.	Temple lands	976	171, Koyambedu	Kani 0-1-8
16.	Temple lands	977	171, Koyambedu	Kani 0-1-10
17.	Temple lands	978	171, Koyambedu	Kani 0-1-6
18.	Temple lands	979	171, Koyambedu	Kani 0-1-4
19.	Temple lands	980	171, Koyambedu	Kani 0-12
20.	Temple lands	981	171, Koyambedu	Kani 0-1-6
21.	Temple lands	984	171, Koyambedu	Kani 0-1-10
22.	Temple lands	985	171, Koyambedu	Kani 0-1-5
23.	Temple lands	986	171, Koyambedu	Kani 0-1-8
24.	Temple lands	685	171, Koyambedu	Kani 0-10-8
25.	Temple lands	686	171, Koyambedu	Kani 0-12-2
26.	Temple lands	687	171, Koyambedu	Kani 0-9-4
27.	Temple lands	688	171, Koyambedu	Kani 0-15-0
28.	Temple lands	176	Ayanambakkam Village	Kani 2-0-0
29.	Temple lands	108	Maduvakarai Village	Kani 1-0-57



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For the Petitioner : Mr.D.Ashokkumar
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for R-1
: Mr.N.R.R.Arun Natarajan,
Special Government Pleader,
for RR 2 to 4

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.D.Ashokkumar, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for the first respondent and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader, for respondent Nos.2 to 4.

2. Encroachment is alleged in respect of a temple property situated in No.171, Koyambedu Village, Saidapet, Sub-District, Chengalpattu.



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3. Reliance is placed on a Trust Deed. The alleged encroachers are not made parties to the present writ petition and in their absence, no further orders can be passed.

4. We also do not find the survey number of the property. In case, according to the petitioner, there is an encroachment on the temple property, the petitioner shall give the details of the encroachment with the names of the persons who have allegedly encroached and then, approach the authority concerned. If such details are given on an application by the petitioner, then the authority may consider the same on its own merits.

The writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sra



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