



W.P.No.7721 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM :

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

AND

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

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R.Sathiyaraj

.. Petitioner

Vs

- 1.The District Collector,
Villupuram.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Dept.,
Villupuram.
- 3.The Tashildhar,
Vanur Taluk,
Vanur, Villupuram.
- 4.Anandan
- 5.R.Radha
- 6.Seetha
- 7.M.Iyyappan
- 8.T.Mani
- 9.Lakshmi
- 10.Radhakrishnan
- 11.Rammurthy
- 12.Elumalai
- 13.Murugaiyan



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- 14.Lalitha
- 15.Sathiya
- 16.Kandeeban
- 17.Valarmathi
- 18.Mahalakshmi
- 19.Arumugam
- 20.Thangavelu
- 21.Santhira
- 22.Tamil
- 23.Senthil
- 24.Ayyanar
- 25.Dhanalakshmi
- 26.Selvi
- 27.Chinnadurai

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to remove the encroachments on the S.No.222/6 measuring 0.70.5 hectares of Morattandi Village, which belongs to Mari Amman Temple, Moranttandi Village, Thiruchitrumbalam Panchayat, Vanur Taluk, Villupuram District.

For the Petitioner : Mr.G.Baskar

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for respondents 1 and 3

: Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader (HR&CE)
for respondent No.2



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- : Ms.V.Srimathi
for respondent Nos.7, 8, 10
to 12, 13 to 19, 21, 23 & 24
- : R5, R6 & R20 – Died
- : R4, R9, R22, R26 & R27 –
Not Ready in Notice
- : No appearance
for respondent No.25

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.G.Baskar, learned counsel for the petitioner; Mr.K.Karthik Jegannath, learned Government Advocate for respondents 1 and 3; Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for the second respondent; and Ms.V.Srimathi, learned counsel for respondents 7, 8, 10 to 19, 21, 23 and 24.

2. The petitioner alleges encroachment on the temple land.



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3. The private respondents, i.e., respondents 7, 8, 10 to 19, 21, 23 and 24, have filed an affidavit denying that the writ land is a temple land. It is stated that these respondents are in occupation for more than three generations. They have been issued with the electricity connection, water supply connection and sewage connection. The land is not under the control and management of the Hindu Religious and Charitable Endowments Department.

4. Mr.K.Karthik Jegannath, learned Government Advocate, submits that notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 has been issued to all the encroachers on 26.4.2022. No reply has been received. The authority would proceed further in accordance with law.

5. There is no embargo on the power of the authorities to proceed further in accordance with law. If the authorities



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proceed further, it is for the parties to take steps in accordance with law.

The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

16.08.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

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- 3.The Tashildhar,
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Vanur, Villupuram.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

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