



W.P.No.15628 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.15628 of 2023

and

WMP.No.15121 of 2023

Arulmighu Sri Venugopalasamy Devasthanam,
Represented by its Hereditary Trustee R.Jagannathan,
L-20, New No.L-43,
Periyar Nagar 6th Street,
Near Uzhavar Sandhai, Erode – 638 001.

...Petitioner

Vs.

1. The District Collector,
Collectorate, Erode.
2. The Tahsildar,
Gobichettypalayam Taluk,
Gobichettypalayam, Erode District.
3. The Revenue Inspector,
Gobichettypalayam, Erode District.
4. The Village Administrative Officer,
Lakkampatti Village, Nallagoundanpalayam,
Gobichettypalayam, Erode District.

...Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from interfering with the peaceful possession and enjoyment of the property owned by Arulmighu Sri Venugopalasamy Devasthanam comprised in Survey No.161/B1/A3, R.S.No.68/1 of Lakkampatti Village, Nallagoundanpalayam, Gobichettypalayam Taluk, Erode District as per the objection given by the petitioner on 08.05.2023.

For Petitioner : Mr.K.Soundara Rajan

For Respondents : Mr.V.Manoharan, AGP

ORDER

This Writ petition has been filed seeking to forbear the respondents from interfering with the petitioner temple's peaceful possession and enjoyment over the property comprised in Survey No.161/B1/A3, R.S.No. 68/1, Lakkampatti Village, Nallagoundanpalayam, Gobichettypalayam Taluk, Erode District, by considering the objection made by the petitioner dated 08.05.2023.

2. The case of the petitioner is that the petitioner temple is a 1000 years old private temple maintained by the Sri Venugopalasamy Devasthanam. Opposite to the petitioner temple, there located a Vaahana Mandapam in Survey No.161/B1/A3, R.S.No.68/1, owned by the temple, in



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which various vaahanas of the temple were parked. While so, on 05.05.2023 and 08.05.2023, the 3rd and 4th respondents visited the said Mandapam and measured the same without the permission of the petitioner temple. Immediately, the petitioner temple made an objection dated 08.05.2023 before the 2nd respondent, however, the 2nd respondent informed that, they are going to acquire the said place for some other purposes. Aggrieved by the same, a legal notice dated 11.05.2023 was sent to the respondents, requesting to drop the steps taken to acquire the above said land owned by the petitioner temple, which evoked no response. Hence, this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction forbearing the respondents from interfering with the petitioner temple's peaceful possession and enjoyment over the subject property comprised in Survey No.161/B1/A3, R.S.No.68/1 of Lakkampatti Village, Erode District, by considering the objection dated 08.05.2023 made by petitioner temple.

4. Learned Additional Government Pleader appearing for the respondents submitted that, appropriate orders will be passed on the



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petitioner temple's objection dated 08.05.2023 and the legal notice dated 11.05.2023 within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner temple's objection dated 08.05.2023 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

22.06.2023

skt

NCC	: Yes/ No
Speaking Order	: Yes/ No
Index	: Yes/ No

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WEB COPY To

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M.DHANDAPANI., J.

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