



W.P.No.19517 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2023

CORAM :

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

AND

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

W.P.No.19517 of 2023

Venkatesah Sowrirajan

.. Petitioner

Vs

- 1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Nagapattinam-611 001.
- 3.The District Collector,
Nagapattinam, Pincode-611 001.
- 4.The Executive Officer,
Sri Sowriraja Perumal Temple,
Thirukkannapuram, Nagapattinam District,
Pincode-609 704.
- 5.The Board of Trustees/Fit Person,
Sri Sowriraja Perumal Temple,
Thirukkannapuram, Nagapattinam District,
Pincode-609 704.



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6.Shivaji

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the second respondent to evict the encroachment in Survey No.134/1, extent of about 6751 sq. ft. of temple lands and consequently direct the third respondent to provide necessary assistance if any required by the second respondent in the process of eviction of encroachment in temple lands belonging to Shri Sowriraja Perumal Temple, Nagapattinam District.

For the Petitioner	: Mr.Venkatesh Sowrirajan Petitioner-in-person
For the Respondents	: Mr.N.R.R.Arun Natarajan Spl. G.P. (HR & CE) for respondents 1 and 2
	: Mr.P.Muthukumar State Government Pleader assisted by Mrs.R.Anitha Spl. Government Pleader for respondent No.3
	: Mr.M.Baranidharan for respondents 4 and 5

ORDER

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

We have heard Mr.Venkatesh Sowrirajan, party in person;
Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR



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& CE) for respondents 1 and 2; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for respondent No.3 and, Mr.R.Baranidharan, learned counsel for respondents 4 and 5.

2. The party in person submits that the sixth respondent has encroached upon the land to an extent of 6751 square feet owned by Sri Sowriraja Perumal Temple. Though a representation has been given to the Joint Commissioner, HR & CE Department and the District Collector, Nagapattinam, no cognizance is taken by them.

3. According to learned Special Government Pleader (HR & CE), the temple owns large area of land. In an agricultural land, 91 persons are inducted as tenants by the temple and as far as the residential area is concerned, 411 persons are inducted as tenants. There is an encroachment to an extent of 6751 square feet by one Sowrirajan and steps are taken against him.

4. The representation is given by the petitioner to the Joint



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Commissioner, the District Collector and the Board of Trustees of the temple only on 12.05.2023 and without even waiting for a reasonable period, the petitioner has rushed to this Court. We cannot encourage such litigation. Some reasonable time will have to be given to the authorities to take further steps.

5. The petitioner may prosecute the representation with the authority concerned and the authority concerned shall consider the representation and take a decision in accordance with law expeditiously. All contentions are kept open.

6. With the above observation, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.18775 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

04.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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WEB COPY

To

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

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