



WP No.571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM :

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

AND

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

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P.V.Arthanaari Easwaran

: Petitioner

versus

- 1.The District Collector,
Erode District
- 2.The Revenue Divisional Officer,
Erode
- 3.The District Revenue Officer,
Erode
- 4.The Executive Officer
Pasur Town Panchayat
Erode District
- 5.The Village Administrative Officer
Pasur village, Pasur, Erode District
- 6.The Tahsildar
Kodumudi Taluk
Erode District
- 7.The Head Surveyor
Kodumudi Taluk Office
Kodumudi Taluk
Erode District
- 8.The Superintendent of Police

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Erode District

9.The Sub Registrar

Kodumudi, Erode District

10.The Commissioner of Land Administration

Triplicane, Chennai-600 005

11.The Special Officer

Temple Lands Administration Department

Hindu Religious and Charitable Endowment

Nungambakkam Chennai-600 034

12.The Commissioner

Hindu Religious and Charitable Endowment

Nungambakkam Chennai-600 034

13.The Joint commissioner

Hindu Religious and Charitable Endowment

Erode Division

14.The Assistant Commissioner

Hindu Religious and charitable Endowment

Erode Division

15.The District Revenue Officer

Temple lands Hindu Religious and charitable

Endowment Coimbatore Division

16.R.Velumani

17.N.Dhakshinamoorthy

: Respondents

(Respondents 16 and 17 impleaded vide order dated 18.03.2022

in WMP No.4403 of 2022)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents herein to perform physical measurement of the Temple land situated in old survey No.27/B new survey Nos.150/1 152/3 152/4 and 152/5 measuring to an extent of approximately 4 acres and 2 cents in Pasur Village, Kodumudi Taluk, upon verification of all documents including the 1-15 Temple register and consequently remove all the



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encroachments in the said temple lands, alter and rectify all illegal mutation of revenue records and restore, repatriate, recover the same both physically and materially in favour of temple namely the Arulmighu Meenakshi Sundareswarar Temple Pasur Town Panchayat Kodumudi Taluk Erode-638 154 in accordance with law within a reasonable time-frame.

For the Petitioner : Mr.V.Chandrasekaran

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha,
Special Government Pleader,
for respondents 1 to 3, 5 to 10

Mr.R.Shunmugasundaram,
Advocate-General,
assisted by Mr.N.R.R.Arun Natarajan,
for respondents 11 to 15

Mr.AR.L.Sundaresan,
Senior Counsel,
for Mrs.S.A.Kanmani,
for respondents 16 and 17

ORDER

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

We have heard Mr.V.Chandrasekaran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 to 3, 5 to 10, Mr.Mr.R.Shunmugasundaram, learned Advocate-General, for respondents 11 to 15 and Mr.AR.L.Sundaresan, learned Senior Counsel, for respondents 16 and 17.



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2. The Writ Petition is filed with a request to remove the encroachments.

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3. The status report is filed by respondent No.13. In the status report, it has been clearly stated that show cause-notice has been issued under Section 78(ii) of the HR&CE Act on July 5, 2023 to the three encroachers and that they have been directed to appear before respondent No.13, on August 10, 2023. Naturally, the parties can put-forth their stand before the authority concerned. The authority shall thereafter consider the stand of the parties and take a decision on its own merits, expeditiously.

4. With these observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, WMP No.626 and 627 of 2022 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No

Neutral Citation : Yes/No

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H.R.&C.E, Nungambakkam Chennai-600 034
- 12.The Commissioner, H.R.&C.E, Nungambakkam Chennai-600 034
- 13.The Joint commissioner, H.R.&C.E Erode Division
- 14.The Assistant Commissioner, H.R.&C.E, Erode Division
- 15.The District Revenue Officer
Temple lands H.R.&C.E, Coimbatore Division



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