



WP No.33353 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2023

CORAM

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

AND

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

WP No.33353 of 2022

V.P.Raman

... Petitioner

-VS-

1. The Commissioner,
Hindu Religious and Charitable Endowment,
Administration Department,
Nungambakkam, Chennai-34.
2. The Asst. Commissioner,
Asst. Commissioner Office,
Tamilnadu Hindu Religious and Charitable
Endowments Dept., Salem-1.
3. The District Collector,
District Collector Office, Salem.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Mettur, Salem District.
5. The Tahsildar,
Omalur Tahsildar Office,
Omalur, Salem.
6. The Executive Officer,
Arulmigu Mariamman and Ganesan Thirukovil,
Poosaripatti Village, Omalur Taluk, Salem.

... Respondents



WP No.33353 of 2022

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider and dispose of the representation dated 08.02.2022, to comply the order passed by this Court in W.P.No.10590 of 2017 order dated 05.03.2018 and consequently remove the encroachments in S.No.95/5, Poosaripatti Village, Omalur taluk, Salem District belonging to the Arulmighu Mariamman and Ganesan Temple.

For the Petitioner : Mr.T.N.Muralimoghan
For the Respondents : Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader for RR 1 and 2
: Mr.P.Muthukumar
State Govt. Pleader for RR 3 to 6
* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.T.N.Muralimoghan, learned counsel for the petitioner, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for respondents 1 and 2 and Mr.P.Muthukumar, learned State Government Pleader, for respondents 3 to 6.

2. The petitioner alleges encroachment in S.No.95/5 and seeks direction to comply the earlier order passed by this Court.

3. A separate writ petition is not maintainable to implement the order passed by this Court. The remedy lies elsewhere.



WP No.33353 of 2022

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4. The learned State Government Pleader submits that the land in S.No.95/5 is a 'Nandhavanam'. Inspection was carried out. Encroachment has been revealed.

5. The learned counsel for the HR and CE Department submits that the Executive Officer and his officials are in the process of tracking the records of S.No.95/5 and action to retain the land is in progress. The learned counsel further submits that the Department has already conducted a survey and four houses are constructed and action is being taken.

In view of the submissions amde, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

09.08.2023

Index : Yes/No

Neutral Citation : Yes/No

sra



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WP No.33353 of 2022

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

(sra)

To

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