



WEB COPY



W.P. No. 31392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

**W.P. No. 31392 of 2023
and
W.M.P. No. 31011 of 2023**

S.Venkatesh

... Petitioner

-VS-

The Executive Officer
Arulmigu Nageswarar Kulavilakku Amman Thirukoil
Nanjaikalamangalam
Mannathampalayam
Modakkurichi Taluk
Erode District.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondent from vacating the Petitioner from the land situated in Old S. No. 123/1, new R.S. No. 736/5, 6 and 7, Punjaikalamangalam B-Village, Modakkurichi Taluk, Erode District to the extent of 2.75 acres unless due process of law.

For Petitioner : Mr. C.Prakasam

For Respondent : Mr. K.Karthikeyna,
Government Advocate

ORDER



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Heard Mr. C.Prakasam, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate, who takes notice for the Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that as he is in occupation of the land in old Survey No. 122/3B in New Survey No. 736/5,6,7, Punjaikalamangalam B-Village, Modakkurichi Taluk, Erode District to an extent of 2.75 acres, he should not be evicted therefrom except by due process of law.

3. Learned Government Advocate appearing for the Respondents, on instructions, states that the proceedings under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, had been initiated for eviction of the Petitioner from the property and memo dated 02.11.2023 has been filed to that effect, which is placed on record.

4. In view of the same, nothing remains for consideration in the Writ Petition.



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The Writ Petition is disposed. Consequently, connected Miscellaneous

Petition is closed. No costs.

02.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 01.02.2024.

Maya

To

The Executive Officer
Arulmigu Nageswarar Kulavilakku Amman Thirukoil
Nanjaikalamangalam
Mannathampalayam
Modakkurichi Taluk
Erode District.



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P.D. AUDIKESAVALU, J.

Maya

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