



W.P.No.31754 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31754 of 2023

S.Chandra

.. Petitioner

Vs.

1. The District Collector
District Collector Office
Salem District.
2. The Tahsildar
Subramania Nagar
Suramangalam 636 005
Salem District.
3. The Block Development Officer
Sarkar Kollapatti
Kollapatti, Salem West 636 030
Salem District.
4. The Assistant Commissioner
Hindu Religious and Charitable
Endowments Department
Salem District 636 001.



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5. Fir Person/Executive Officer
Arulmigu Ekambareswarar
Kamakshiamman Temple
Kadaiveethi, Salem.

6. The Panchayat President
Thalavaipatty Village & Post
Pincode 636 302
Salem District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to remove the entire encroachments including constructed buildings and using roads in the temple land in S.No.40/10 the extent of 90 cents in Thalavaipatt Village and Salem District and consider and pass orders on the representation preferred by the petitioner dated 13.10.2023.

For the Petitioner : Mr.P.Ganesan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R3 and R6

Mr.C.Jayaprakash
Government Advocate (HR & CE)
for R4



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.P.Ganesan, learned counsel for the petitioner,
Mr.P.Muthukumar, learned State Government Pleader for respondents 1
to 3 and 6 and Mr.C.Jayaprakash, learned Government Advocate (HR &
CE) for respondent 4.

2. The land is claimed to be a temple land. The A-Register does not state that the temple is the owner of the land. The A-Register mentions the land as poromboke. Only the name of the temple is mentioned in column 12 of the remark column. That would not be conclusive to mention that the land is owned and allotted to the temple.

3. Be that as it may, learned counsel for the Hindu Religious and Charitable Endowments Department submits that if encroachments are found, action would be taken in accordance with law and with regard to the buildings of Anganwadis, Fair Price Shops, Panchayat Office and other Government constructions, talks are on with regard to the



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4. In view of the same, the writ petition stands disposed of.

There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No

Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J.

(drm)

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