



Cont.P(MD)No.1698 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cont.P(MD)No.1698 of 2023

in

W.P(MD)No.3440 of 2022

G.Murugaiyan

... Petitioner/Petitioner

vs.

1.Chelladurai

The Joint Commissioner,
Hindu Religious and
Charitable Endowments Department,
Madurai.

2.Sakkarai Ammal,

The Executive Officer,
Arulmighu Veerabadra Vinayagar Temple,
Samayanallur.

3.The Superintendent of Police,
Madurai Rural.

[R3 is *suo motu* impleaded vide court
order dated 13.10.2023 in
contp(MD)No.1698 of 2023]

... Contemnor/Respondents



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PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor for their continuous, deliberate, wilful disobedience of the order of this Court dated 23.02.2022 made in WP(MD)No.3440 of 2022.

For Petitioner : Mr.A.Mohan

For Respondent : Mr.P.Subburaj,
No.1 Special Government Pleader

For Respondent : Mr.S.Manohar
No.2

For Respondent : Mr.Thanga Aravindh
No.3 Government Advocate (Crl Side)

ORDER

This Court by order dated 23.02.2022 directed the respondent temple to initiate action as against the encroachers.

2.The learned Counsel for the respondent temple submits that they have initiated action under Section 78 of the Hindu Religious and Charitable Endowments Act. However, the Joint Commissioner / 1st respondent has directed the temple administration to prefer a complaint as per Section 79 of the Act and on the directions of the 1st respondent, now proceedings have been initiated under Section 78 of the Act before the 1st respondent and the 1st respondent has also issued notice.



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3.The Assistant Commissioner has also inspected the property and has identified the nature of the encroachments and also sent a proposal to the Joint Commissioner for necessary action under Section 78 of the Act.

4.The learned Counsel for the 3rd respondent in the writ petition/ alleged encroacher submits that as against the orders of this Court, he has filed a review application.

5.Since the order of this Court has been complied with by taking action as against the encroachments, this contempt petition is closed with a direction to the 1st respondent to proceed in accordance with law as expeditiously as possible. The 3rd respondent in the writ petition shall work out his remedy in the review application.

01.12.2023

dsk



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To

- 1.The Joint Commissioner,
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Madurai.
- 2.The Executive Officer,
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B.PUGALENDHI,J.

dsk

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in

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