



W.P.(MD)No.27583 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27583 of 2023

P.Sivasubramaniyan

... Petitioner

versus

1. The District Collector,
Trichy District Campus,
Trichy District – 620 001.
2. The Thasildar,
Marungapurai Taluk,
Trichy District – 621 308.
3. The Joint Commissioner,
Hindu Religious Charitable and Endowments,
Srinivasa Nagar,
Thiruvanaikoil,
Trichy – 620 005.
4. The Assistant Commissioner,
Hindu Religious Charitable and Endowments,
Srinivasa Nagar,
Thiruvanaikoil,
Trichy – 620 005.



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5. The Inspector,
Hindu Religious Charitable and Endowments,
Arulmigu Boothanayagi Amman Thirukovil Office,
Thuvarankurichi,
Trichy.

6. Paramasivam
7. Vallaan
8. Duraiyan
9. Pichan
10. Periyasamy
11. Andichamy
12. Susi
13. Chinnalagu
14. Muthulakshmi
15. Perumal
16. Vellaisamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the official respondents 1 to 5 to remove the encroachment by the private respondents 6 to 16 over the temple land called Arulmigu Santhana Karupasamy Kovil situated in Survey Nos.195/2, 195/3, 195/5 at Akkiyampatti Village, Marungapuri Taluk, Trichy District by considering the petitioner's representation dated 22.05.2023.

For Petitioner : Mr.S.Sivakumar



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For R1 to R5 : Mr.P.Subba Raj,
Special Government Pleader

ORDER

The petitioner, a devotee, has approached this Court for a Mandamus, directing the respondents 1 to 5 to remove the encroachments made by the private respondents 6 to 16 over the temple land of Arulmigu Santhana Karupasamy Kovil situated at Akkiyampatti Village, Marungapuri Taluk, Trichy District.

2. Mr.P.Subbaraj, learned Special Government Pleader, who takes notice for the respondents 1 to 5, on instructions, submits that the petitioner's representation dated 22.05.2023 has been considered and the Executive Officer has identified the encroachments made in the temple land and also made a proposal to the Joint Commissioner, HR&CE Department, Trichy, for initiating action against the encroachers under Section 78 of HR&CE Act.



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3. Since the petitioner's representation dated 22.05.2023 has been considered and action has also been proposed, issuance of notice to the alleged encroachers, namely, respondents 6 to 12 is dispensed with.

4. In view of the submission made by the learned Special Government Pleader, this writ petition is disposed of with a direction to the Joint Commissioner, HR&CE Department, Trichy, to conduct an enquiry after issuing notice to the encroachers, including the respondents 6 to 12 and conclude the proceedings, as expeditiously as possible. No costs.

27.11.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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