



WEB COPY



W.P.No.1324 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.1324 of 2022
and
W.M.P.No.1440 of 2022

M.Mahendran

... Petitioner

VS.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-34

2.The Additional Commissioner & Regional Director
Employees State Insurance Corporation (ESIC),
Panchdeep Bhavan, 143, Sterling Road,
Nungambakkam, Chennai-53.

3.The Thasildar,
Amabttur Taluk,
Chennai.

... Respondents

*(R3-Suo Motu impleaded as per the order dated
01.10.2024 in W.P.No.1324/2022)*

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling all records relating the Impugned order No.51-W-11-Amabttur Property Document – C and M dated 03.01.2022 passed by the 2nd Respondent and Quash the same and



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consequently direct the 1st Respondent to take appropriate steps to recover and restore the Arulmigu Sivagamiamman Udanurai Ambalavanar Thirukoil property including temple pond situated at Ambattur, Chennai within a stipulated time frame fixed by this Court.

For Petitioner : Mr.A.Swaminathan

For R1 : Mr.S.Ravichandran
Additional Government Pleader (HR & CE)

For R2 : Mr.G.Bharadwaj

For R3 : Mr.S.Balamurugan
Government Advocate

ORDER

The Writ Petition is filed challenging the notice issued by the 2nd respondent under Section 5A sub-section 2 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

2. When the writ petition is taken up for hearing, it is pointed out that the description of the property has not been mentioned in the impugned notice.

3. The learned counsel appearing for the 2nd respondent fairly



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submitted that the 2nd respondent will withdraw the impugned notice dated 03.01.2022 and issue a fresh notice by giving proper description of alleged encroached properly.

4. The said statement made by the learned counsel appearing for the 2nd respondent is recorded and the writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

11.12.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-34
2. The Additional Commissioner & Regional Director
Employees State Insurance Corporation (ESIC),
Panchdeep Bhavan, 143, Sterling Road,
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S.SOUNTHAR, J.

dm

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