



W.P.No.4088 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4088 of 2024

Subramaniyan

.. Petitioner

VS

- 1.The District Collector,
Ariyalur District,
Ariyalur.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments Dept.,
No.119, Uthamar Gandhi Salai,
Thousand Lights West, Nungambakkam,
Chennai-600 034.
- 3.The Superintendent of Police,
Ariyalur District,
Ariyalur.
- 4.The District Revenue Officer,
Ariyalur District,
Ariyalur.
- 5.The Revenue Divisional Officer,
Ariyalur District,
Ariyalur.



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6.The Tahsildhar,
Andimadam Taluk,
Ariyalur District.

7.The Sub-Registrar,
Sub-Registrar office,
Andimadam, Ariyalur District.

- 8.Chinnappan
- 9.Xavier
- 10.Santhanasam
- 11.Victor Raj
- 12.Alexander
- 13.Mariya Dhanaraj
- 14.Mundhiri Kottai Nattar @ Chinnappam
- 15.John Kennedy
- 16.S.Arokiyasamy
- 17.B.Vanathiyan
- 18.N.Ronikkammal
- 19.B.Yesuraj
- 20.C.Krishnameri
- 21.C.Arokiyadoss
- 22.Chinnappan
- 23.C.Adaikkalaraj

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned compliance report of the sixth respondent in Na.Ka.A1/2481/2023 dated 15.12.2023 and quash the same and consequently direct the respondents 1 to 7 to conduct proper survey in the lands to identify and remove the encroachments in Survey Nos.74/1, 74/2, 45/4, 50 situated at Periyakirshnapuram Village and Survey No.215/1, Survey No.215/2 situated at Varadharajanpettai Town Panchayat, Andimadam Taluk, Ariyalur District.



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For the Petitioner : Ms.S.Banupriya
for M/s.A.Jagadeeswari

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for respondents 1, 4 to 7

: Mr.N.R.R.Arun Natarajan
Spl. G.P. (HR & CE)
for respondent No.2

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
assisted by
Mr.M.Sylvester John
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Ms.S.Banupriya, learned counsel for M/s.A.Jagadeeswari, learned counsel for the petitioner; Mr.K.Karthik Jegannath, learned Government Advocate for respondents 1, 4 to 7; Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for respondent No.2; and, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.M.Sylvester John, learned counsel for the third respondent.



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2. The present writ petition is filed seeking a direction to quash the compliance report filed by the sixth respondent.

3. Learned counsel for the petitioner submits that, actually, no survey was conducted. Without conducting proper survey, the compliance report has been filed.

4. It appears that, in the compliance report it has been stated that in Survey Nos.74/1, 74/2, 454 and 50 pattas were issued to various persons. The temple land appears to be only in Survey No215/1, in which no encroachment is found.

5. The petitioner claims to be a Trustee of the temple. In that event, the temple can take steps under the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.



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6. With the above observation, the writ petition is disposed of. There shall 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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