



W.P.No.5758 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.5758 of 2021
and W.M.P.No.6357 of 2021**

A.Radhakrishnan

... Petitioner

Vs.

- 1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.
- 2.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Chennai-600 009.
- 3.The Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005.
- 4.The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.



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- 5.The Director of Survey and Settlements,
Chepauk,
Chennai-600 005.
- 6.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 7.The Inspector General of Police,
West Zone,
Race Course Road,
Coimbatore-641 018.
- 8.The District Collector,
Namakkal-637 003.
- 9.The District Revenue Officer,
Namakkal-637 003.
- 10.The Taluk Executive Magistrate cum Tahsildar,
Komarapalayam-638 183,
Namakkal District.
- 11.The Deputy Inspector General of Registrations,
Collectorate, IIIrd Floor,
Salem-636 001.
- 12.The Regional Deputy Director of Survey and Land Records,
Collectorate Campus,
Coimbatore-641 018.



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13.The Regional Director of Municipal Administrations,
Rajendra Sathiram,
Salem-636 009.

14.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
Paramathi Road,
Namakkal-637 001.

15.The Inspector of Police,
Komarapalayam Town,
Namakkal District.

16.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem-636 001.

17.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Namakkal-637 003.

18.The Fit Person,
Appuraya Sathiram,
Komarapalayam Agraharam,
Komarapalayam Town and Taluk,
Namakkal District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 4 to 12, 15 to 18 to secure and safeguard the properties belonging to the 18th respondent Endowment by following the dictum of this Court in W.P.No.14428 of 2017 and W.P.No.16833 of 2017 as well as considering the petitioner's representation dated 23.09.2020.

For Petitioner	:	Mr.A.Radhakrishnan (party-in-person)
For Respondents	:	Mr.LSM.Hasan Fizal Additional Government Pleader for R1, R3, R4, R5, R7 to R13 and R15 Mr.S.Ravichandran Additional Government Pleader (HR & CE) for R2, R6, R16 and R17 Mr.S.Madhusudanan for R14

ORDER

This Writ Petition has been filed to direct the respondents 4 to 12 and 15 to 18 to secure and safeguard the properties belonging to the respondent No.18 Endowment.



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2. The petitioner/party-in-person appeared before this Court and submitted that the properties belonging to the respondent No.18 Endowment were encroached by some third parties and for recovery of the properties, the present writ petition has been filed.

3. The learned Additional Government Pleader appearing for the respondent Nos.2, 6, 16 and 17 submits that there are 184 encroachers identified in the properties of the respondent No.18 and the proceedings under Section 78 of the Hindu Religious and Charitable Endowments Act were initiated and the same will be concluded within a period fixed by this Court. The remaining persons, who are in occupation of the properties of the respondent No.18, will also be evicted after due process of law.



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4. Recording the submission made by the learned Additional Government Pleader appearing for the respondent Nos.2, 6, 16 and 17, this Writ Petition is disposed of, directing the officials respondents to evict the encroachers, who are in occupation of the properties of the respondent No.18 Endowment and conclude the proceedings initiated under Section 78 of the said Act within a period of 12 weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Connected miscellaneous petition is closed.

05.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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Chennai-600 009.
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- 3.The Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005.
- 4.The Commissioner of Land Administration,
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Chennai-600 005.
- 5.The Director of Survey and Settlements,
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Chennai-600 005.
- 6.The Commissioner,
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- 7.The Inspector General of Police,
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17. The Assistant Commissioner,
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M.DHANDAPANI, J.

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