



WEB COPY



W.P.No.4759 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM :

THE HON'BLE MR. JUSTICE R.MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

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D.SURESHBABU

.. Petitioner

Vs

1. THE COMMISSIONER
O/O THE COMMISSIONER
TAMIL NADU HINDU RELIGIOUS AND
CHARITABLE ENDOWMENT DEPARTMENT
UTHAMAR GANDHI SALAI, NUNGAMBAKKAM
CHENNAI.
2. THE JOINT COMMISSIONER
O/O THE JOINT COMMISSIONER
TAMIL NADU HINDU RELIGIOUS AND
CHARITABLE ENDOWMENT DEPARTMENT
BALASUNDARAM ROAD, COIMBAOTRE – 18.
3. THE ASSISTANT COMMISSIONER
O/O THE ASSISTANT COMMISSIONER
TAMIL NADU HINDU RELIGIOUS AND
CHARITABLE ENDOWMENT DEPARTMENT
COIMBATORE CENTRAL
COIMBAOTRE DISTRICT - 641 018.
4. GOWMARA MADALAYAM
REP BY SRI KUMARAGURUVARA SWAMIGAL
70, GOWMARA MADALAYAM,
CHINNAVEDAMPATTI, COIMBAOTRE – 29.



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5. P. RATHINAM

6. THE SUB REGISTRAR
O/O THE SUB REGISTRAR
GANDHIPURAM
COIMBATORE - 641 035.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing second respondent to consider the representation of the petitioner dated 30.10.2023 forwarded by the 3rd respondent along with O.M.No.7336/2023/A4, dated 15.11.2023 to remove the encroachment made by the 5th Respondent in the property belonging to the 4th Respondent Mutt by invoking provisions of the TN Hindu Religious and Charitable Endowment Act in the interest of justice.

For the Petitioner	: Mr.Amardeep for M/s.Tamizh Law Firm
For the Respondents	: Mr.Arun Natarajan Special Government Pleader (HR&CE) for respondents 1 to 3
	: Mr.C.Kathiravan Special Government Pleader for 6 th respondent



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ORDER
(Order of the court was made by R.MAHADEVAN,J.)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing the second respondent to consider the representation of the petitioner dated 30.10.2023, forwarded by the third respondent along with O.M.No.7336/2023/A4, dated 15.11.2023, to remove the encroachment made by the fifth respondent in the property belonging to the fourth respondent/Mutt by invoking provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act.

2. Learned Special Government Pleader appearing on behalf of respondents 1 to 3 submits that a survey would be conducted in the presence of all the parties concerned and if it is found that there are encroachments, then action would be taken against the encroachers in accordance with law.

3. In the light of the said submission, the writ petition is disposed of with a direction to the respondent authorities to consider



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the representation of the petitioner dated 30.10.2023 and conduct a survey of the lands in question in the presence of all the parties concerned and thereafter take appropriate action, in accordance with law. The entire exercise shall be completed by the respondent authorities within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(R.M.D., J.)

(M.S.Q., J.)

27.02.2024

Index : No
Neutral Citation : No
sasi



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CHENNAI.
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O/O THE JOINT COMMISSIONER
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R.MAHADEVAN,J.
AND
MOHAMMED SHAFFIQ,J.
(sasi)

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