



W.P.No.6599 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Palanisamy Muthusamy Gounder

.. Petitioner

vs.

- 1.The Commissioner,
Tamil Nadu Religious and Charitable
Endowments Department,
Nungambakkam,
Chennai-600 034.
- 2.The District Collector,
Erode
- 3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Coimbatore
- 4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Erode



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5.The Tahildar,
Perundurai,
Erode District-638 052

6.The Executive Officer,
Siddhi Vinayagar Temple,
Perundurai, Erode-638 052

7.Saraswathi
8.K.Govindarajan
9.K.Renugadevi

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider and pass orders on the representation of the petitioner dated 12.10.2019 and to recover the temple land viz, Siddhi Vinayagar Temple, situated in Perundurai, Erode District, to an extent of 11,016 sq.ft., comprised in S.No.1149/5 (Now R.S.No.834/1) forthwith.

For the Petitioner : Mr.D.Kanagasundaram
for Mr.T.N.Rajagopalan

For the Respondents : Mr.C.Jayaprakash
Govt. Advocate (HR & CE)
for respondents 1, 3 and 4

: Mr.T.K.Saravanan
Government Advocate
for respondents 2, 5 and 6

: Mr.M.Guruprasad
for respondents 7 to 9



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ORDER

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

We have heard Mr.D.Kanagasundaram, learned counsel for Mr.T.N.Rajagopalan, learned counsel for the petitioner; Mr.C.Jayaprakash, learned Government Advocate (HR & CE) for respondents 1, 3 and 4; Mr.T.K.Saravanan, learned Government Advocate for respondents 2, 5 and 6; and, Mr.M.Guruprasad, learned counsel for respondents 7 to 9.

2. Learned counsel for the petitioner submits that the temple land is encroached by respondents 7 to 9.

3. Learned Government Advocate (HR & CE) submits that Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 proceedings have been initiated and they are pending.

4. Learned counsel for respondents 7 to 9 submits that a civil suit for declaration is filed and the same is pending.



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5. It is for the HR & CE Department to take up the proceedings as may be permissible under law expeditiously.

6. With these observations, the writ petition stands disposed of.
There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

12.01.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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