



W.P.No.9958 of 2019

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

W.P.No.9958 of 2019

S.Arun Venkatraman

.. Petitioner

vs.

1.The District Collector
Thiruppur District,
Tiruppur

2.The Commissioner,
Udumalaipettai Municipality,
Udumalapettai

3.The District Revenue Officer,
Thiruppur.

4.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-600 034.

5.The Joint commissioner,
Hindu Religious and Charitable Endowment Department,
Coimbatore -641 018.



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6.The Assistatant Commissioner,
Hindu Religious and Charitable Endowment Department,
Thiruppur.

7.Varadharaja Perumal Temple,
rep.by it s Executive Officer,
Udumalapet.

8.The Tahsildar
Udumalapet Taluk,
Udumalapet.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the representation dated 19.05.2018 made by the petitioner to the first respondent and to take action to remove the encroachments made by the encroachers in Town Survey No.27 in Udumalpet Village and Taluk, Thiruppur District.

For the Petitioner	: No appearance
For the Respondents	: Mr.T.K.Saravanan Government Advocate for respondents 1, 3 & 8
	: Mr.B.Anand for respondent No.2
	: Mr.N.R.R.Arun Natarajan Spl. Govt. Pleader (HR & CE) for respondents 4 to 6
	: Mr.S.Sithirai Anandam for respondent No.7



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ORDER

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

None appears for the petitioner when the matter is called out.

2. Learned counsel for some of the proposed respondents submits that a suit, bearing O.S.No.36 of 1970 on the file of the District Munsif Court, Udumalpet, was filed against 28 persons in respect of the land bearing Old Survey No.134/5B, new T.S.No.27 situated at Udumalpet Village. It was stated by the plaintiff (Varadarajaperumal temple) that the said land is owned by the temple and the defendants therein are trespassers and sought for restoration of possession of the temple land. The said suit was dismissed under the judgment and decree dated 12.4.1973 and it was held that the temple is not the owner of the property. The civil court held that the suit site is a village natham and does not belong to the temple. A copy of the decree is also on record.

3. Learned Special Government Pleader appearing for the HR & CE Department submits that steps were initiated to take possession,



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however, it was found that the land is a natham land and not owned by the temple.

4. As none appears for the petitioner and in the light of the aforesaid submission, the writ petition is dismissed. There shall be no order as to costs. In view of the dismissal of the writ petition, W.M.P.No.13579 of 2019 is closed and disposed of.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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