



W.P.No.11199 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

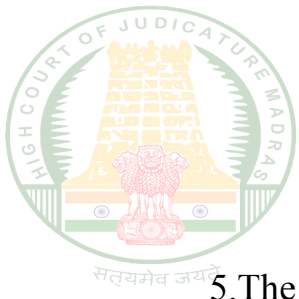
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A.Radhakrishnan

... Petitioner

Vs.

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



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5.The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.

6.The Director of Survey and Settlements,
Chepauk,
Chennai-600 005.

7.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.

8.The Archaeology Commissioner,
Tamil Valarchi Valaagam,
Egmore,
Chennai-600 008.

9.The Director General of Police,
Dr.Radhakrishna Salai,
Chennai-600 004.

10.The District Executive Magistrate cum Collector,
Dharmapuri.

11.The Taluk Executive Magistrate cum Tahsildar,
Pennagaram,
Dharmapuri District.

12.The Deputy Inspector General of Police,
Salem Range,
Salem-636 007.



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13.The Regional Deputy Director of Survey and Land Records,
Collectorate Campus,
Coimbatore.

14.The Archaeological Officer,
Dharmapuri.

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

16.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Dharmapuri.

17.Sankar,
Inspector of Hindu Religious and Charitable Endowments Department,
Dharmapuri.

18.The Fit Person,
Arulmigu Thimmaraya Swamy Temple,
Near Aathanur Bus Stand,
Pennagaram,
Dharmapuri District.

19.The Fit Person,
Arulmigu Kathiri Narasingaswamy Temple,
Pennagaram,
Dharmapuri District.

20.The Inspector of Police,
Pennagaram,
Dharmapuri District.



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Sub-Inspector of Police,
Pennagaram,
Dharmapuri District.

22.C.Murugesan

23.Muruganantham @ Thandayutham

24.Rajasekar

25.Murugavel

26.Santhosh

27.Arulmurugan

28.Raja

29.Krishnan

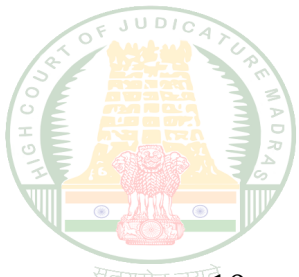
30.Murugan

31.M.Thangavel

... Respondents

*(*R31 is impleaded vide order dated 05.09.2024 made in W.M.P.No.17981 of 2021 in W.P.No.11199 of 2021*)*

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 16 to secure and safeguard the Temples of the respondent Nos.18 and



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19 and its properties by considering the petitioner's representation dated 14.03.2021 and also following the dictum of the Hon'ble Apex Court and this Court as well as the Circular issued by the seventh respondent.

For Petitioner : Mr.A.Radhakrishnan
(Party-in-person)

For Respondents : Mr.LSM.Hasan Fizal
Additional Government Pleader
for R1, R2, R4 to R6, R8, R10, R11
R13 and R14
Mr.K.Karthikeyan
Government Advocate (HR & CE)
for R3, R7 and R15 to R19
Mr.L.Baskaran,
Government Advocate (Crl.)
for R9, R12 and R20
Mr.P.R.Krishnaraj
for R29 and R30
No appearance for R21, R22 and
R23 to R28.

ORDER

This Writ Petition has been filed to direct the respondents 1 to 16 to secure and safeguard the properties and Temples of the respondent Nos.18 and 19.



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2. The petitioner/party-in-person appeared before this Court and submitted that the properties belonging to the respondent Nos.18 and 19 Temples were encroached by some third parties and for recovery of the same, the present writ petition has been filed.

3. The learned Additional Government Pleader appearing for the respondent Nos.1, 2, 4 to 6, 8, 10, 11, 13 and 14 submits that the properties of the respondent Nos.18 and 19 Temples were encroached by some persons and the proceedings under Section 78 of the Hindu Religious and Charitable Endowments Act were initiated against them and the same will be concluded within a period fixed by this Court. The persons, who are in occupation of the properties of the respondent Nos.18 and 19 Temple, will also be evicted after due process of law.

4. Recording the submission made by the learned Additional Government Pleader appearing for the respondent Nos.1, 2, 4 to 6, 8, 10, 11,



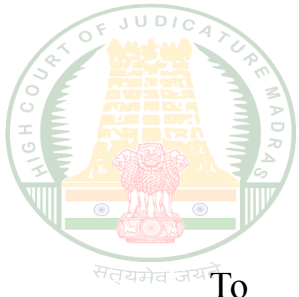
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13 and 14, this Writ Petition is disposed of, directing the official respondents to evict the encroachers, who are in occupation of the properties of the respondent Nos.18 and 19 Temples and conclude the proceedings initiated under Section 78 of the said Act within a period of 12 weeks from the date of receipt of a copy of this order. However, liberty is granted to the private respondents to work out their remedy in the manner known to law. There shall be no order as to costs.

05.09.2024

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

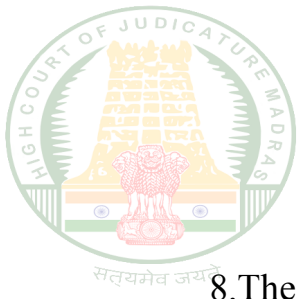


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To

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Revenue Department,
Secretariat,
Chennai-600 009.
- 2.The Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009.
- 3.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Chennai-600 009.
- 4.The Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005.
- 5.The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.
- 6.The Director of Survey and Settlements,
Chepauk,
Chennai-600 005.
- 7.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai-600 034.



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8.The Archaeology Commissioner,
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Egmore,
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9.The Director General of Police,
Dr.Radhakrishna Salai,
Chennai-600 004.

10.The District Executive Magistrate cum Collector,
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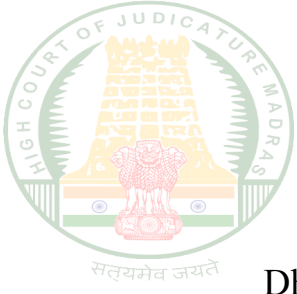
12.The Deputy Inspector General of Police,
Salem Range,
Salem-636 007.

13.The Regional Deputy Director of Survey and Land Records,
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14.The Archaeological Officer,
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15.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
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16.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,



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Dharmapuri.
17.The Inspector of Hindu Religious and Charitable Endowments
Department,
Dharmapuri.

18.The Fit Person,
Arulmigu Thimmaraya Swamy Temple,
Near Aathanur Bus Stand,
Pennagaram,
Dharmapuri District.

19.The Fit Person,
Arulmigu Kathiri Narasingaswamy Temple,
Pennagaram,
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20.The Inspector of Police,
Pennagaram,
Dharmapuri District.

21.The Sub-Inspector of Police,
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M.DHANDAPANI, J.

ssb

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