



WP No.11813 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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S.Parthiban

: Petitioner

Vs

- 1.The Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Mahathma Gandhi Road
Nungmbakkam Chennai 600 034.
- 2.The Joint Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Mahathma Gandhi Road
Nungmbakkam Chennai 600 034.
- 3.The Deputy Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Mahathma Gandhi Road
Nungmbakkam Chennai 600 034.
- 4.The Assistant Commissioner
Hindu Religious and Charitable Endowments, Chennai
- 5.The Executive Officer
Arulmighu Karaneeshwarar Thirukkoil
Saidapet Chennai 600 015.
- 6.The Commissioner of Corporation
Greater Corporation of Chennai
Rippon Building Chennai.
- 7.The Assistant Engineer

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Zone No.X Division No.140 Kodambakkam
Chennai.

8.The Assistant Executive Engineer
Unit -30 Zone. No.X Division No.140
Kodambakkam Chennai.

9.The Inspector of Police
R-6 Kumaran Nagar Police Station
Chennai.

10.Mr.S.Ramalingam : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to take appropriate action to retrieve and secure the entire lands belongs to the Karaneeshwarar Temple, Saidapet, Chennai 600 015 as the per the direction of this court in W.P.(MD) No.16833 of 2017 dated 12/02/2018 and based on the petitioners representation dated 01/09/2020 by taking appropriate action as against all encroachers in the Karaneshwarar Temple lands within a time.

For Petitioner	:	Mr.A.Ilayaperumal
For Respondents 1 to 5	:	Mr.K.Karthikeyan, Government Advocate
For Respondents 6 to 8	:	Mr.A.Arun Babu
For Respondent No.9	:	Mr.T.K.Saravanan, Government Advocate

ORDER



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(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Ilayaperumal, learned counsel for the petitioner, Mr.K.Karthikeyan, learned Government Advocate, appearing for respondents 1 to 5, Mr.A.Arun Babu, learned counsel appearing for respondents 6 to 8 and Mr.T.K.Saravanan, learned Government Advocate, appearing for the ninth respondent.

2. Counter-affidavit of the fifth respondent suggests that a suit has been filed against the tenth respondent by the Hindu Religious and Charitable Endowments Department and proceedings under Section 78 of the HR&CE Act has also been initiated.

3. Learned counsel for the petitioner submits that there are other properties also encroached by some other persons.

4. It is for the HR & CE Department to look into the said aspect of the matter. The Department may take action against the encroachers as may be permissible under law.



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5. The writ petition stands disposed of. There shall be no order as to costs. Consequently, WMP No.12555 of 2021 is also closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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