



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.11972 of 2024

D.Naveen Kumar

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Petitioner

versus

1.Joint Commissioner,
Office of Joint Commissioner,
Hindu Religious and Charitable Endowment,
Erode - 638 011.

2.Assistant Commissioner,
Office of Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Erode - 638 002.

3.Executive Officer,
Arulmigu Pampalangarasamy Thirukovil,
Punjai Kolanalli Village,
Kodumudi Taluk,
Erode - 638 154.

4.Jayaraj,
Pentecost Sabai,
M.G.R.Nagar,
Kolanalli Post,
Kodumudi Taluk,
Erode District.

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Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 2 and 3 to implement the order of the 1st respondent dated 03.11.2022 made in Miscellaneous Petition No.452 of 2022 and evict the 4th respondent from the encroached subject matter temple land in Survey No.575/3A, measuring an extent of Punjay Acre 0.12, by considering representation dated 08.02.2024 sent to the respondents 1 to 3.

For Petitioner	:	Mr.R.Prabakar
For Respondent Nos.1 to 3	:	Mr.S.Ravichandran Additional Government Pleader (HR&CE)
For Respondent No.4	:	Not ready in notice

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to implement the order of the first respondent dated 03.11.2022 made in Miscellaneous Petition No.452 of 2022 and to evict the fourth respondent from the encroached temple land in Survey No.575/3A, to an extent of 0.12 Punjay Acre, by considering the petitioner's representation dated 08.02.2024.

2. According to the petitioner, the above said land belongs to the deity viz. Arulmigu Pampalangarasamy and the Survey No.575/3A to an extent of Punjay Acre 0.12 has been unlawfully encroached by another



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religious institution run by the fourth respondent and to evict the fourth respondent from the temple land, the same has not been fructified. The petitioner submits that the enquiry order of eviction came to be passed on 03.11.2022 directing the first respondent to vacate the temple land but till date they have not vacated the place. Hence, the petitioner gave representation on 08.02.2024 to implement the order dated 03.11.2022 by evicting the fourth respondent.

3. According to the respondents 1 to 3, the said temple has been maintained by Kodumudi Arulmigu Magudeeswarar and Veerananarayana Perumal Temple and the said Temple is situated at Kodumudi Taluk, Punjai Kolanalli Village, in Survey No.575/3A and 8.23.5 hectares lands are available and in which 0.12 cent land has been encroached by one Jayaraj, who is running the Pentecost Church in M.G.R. Nagar, Kolanalli and he is constructed a Church and practising with the religion.

4. It is seen that during the election period, the respondent authorities are not in a position to proceed further. However, it is made clear that the elections are over and the respondent authorities are directed to evict



the encroachment of the fourth respondent with the help of the revenue officials and the police officials within a period of four weeks from today.

5. With the above direction, this Writ Petition is disposed of. No costs.

10.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

Note : Issue Order Copy on 19.06.2024

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To

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- 1.The Joint Commissioner,
Office of Joint Commissioner,
Hindu Religious and Charitable Endowment,
Erode - 638 011.
- 2.The Assistant Commissioner,
Office of Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Erode - 638 002.
- 3.The Executive Officer,
Arulmigu Pampalangarasamy Thirukovil,
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V.BHAVANI SUBBAROYAN, J.

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