



W.P.No.13830 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.13830 of 2022

Sellamuthu

.. Petitioner

Vs.

1. The District Collector
Ariyalur.

2. The District Revenue Officer
Ariyalur.

3. The Tahsildar
Ariyalur.

4. The Assistant Commissioner
Hindu Religious and Charitable Endowments Board
Ariyalur 621 704.

5. Sellamuthu

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus forbearing the respondents 1 to 4, their men, agents and subordinates from in any manner altering or



W.P.No.13830 of 2022

WEB COPY

widening the 6 meter public road which belongs to Arulmighu Maargabureeswarar Thirukoil Ellupaiyur Post & village, Rayampuram Via, Ariyalur.

For the Petitioner : Mrs.R.Poornima

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
for Respondents 1 to 3

Mr.N.R.R.Arun Natarajan
Special Government Pleader
(HR & Chief Engineer)
for Respondent-4

Mr.M.Rajasekhar
for Respondent-5

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mrs.R.Poornima, learned counsel for the petitioner, Mr.C.Kathiravan, learned Special Government Pleader for the respondents 1 to 3, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for the fourth respondent and Mr.M.Rajasekhar, learned counsel for the fifth respondent.



W.P.No.13830 of 2022

WEB COPY

2. Learned counsel for the petitioner submits that the petitioner is a tenant of the temple in respect of the land in Survey No.57/7. The official respondents are now, to facilitate the fifth respondent, widening the road from 6 meter to 8 meter.

3. Learned Special Government Pleader and learned counsel for the fifth respondent submit that the petitioner is not a tenant, but an encroacher. The road is in S.No.57/7A and there is no proposal to widen the road.

4. The petitioner claims to be a tenant of the temple land, whereas learned Special Government Pleader and learned counsel for the fifth respondent deny the said fact. According to learned Special Government Pleader, 16 encroachers have been identified and steps have been taken under Section 78 of the Hindu Religious and Charitable Endowments Act.

5. In that event, the petitioner will have liberty to put forth his



W.P.No.13830 of 2022

WEB COPY

stand before the Hindu Religious and Charitable Endowments Board.

6. As the statement is made that the road is not widened, no further order is necessary in the writ petition. Accordingly, the writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.13113 of 2022 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

10.04.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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W.P.No.13830 of 2022

WEB COPY Ariyalur 621 704.



WEB COPY



W.P.No.13830 of 2022

THE HON'BLE CHIEF JUSTICE
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(kpl)

W.P.No.13830 of 2022

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