



W.P.No.22603 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.22603 of 2018
and W.M.P.Nos.26454 and 26455 of 2018**

Sri Raghavendra Alaya
Vazhipaduvoor Nalasangam,
Pudupalayam, Cuddalore-607 001,
Rep.by its President,
Karunamoorthi.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board
Villupuram.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Cuddalore.



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4.The Executive Officer,
Arulmighu Rajagopalaswami Temple,
Pudupalayam,
Cuddalore-607 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records and quash the proceedings of the second respondent in Se.Mu.M.P.No.5/2017/E2 dated 04.07.2018.

For Petitioner	:	Mr.R.Gururaj
For Respondents	:	Mr.N.R.R.Arun Natarajan Special Government Pleader (HR & CE)

O R D E R

This Writ Petition has been filed challenging the proceedings of the second respondent dated 04.07.2018 in Se.Mu.M.P.No.5/2017/E2.

2. The learned counsel appearing for the petitioner submits that the petitioner is a Society registered under the Tamil Nadu Societies Registration Act and is worshipping Sri Raghavendraswami, and the Temple



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for Sri Raghavendraswami was constructed with the permission of the concerned Authority, within the precincts of the fourth respondent Temple, and it exists for more than 45 years. While so, the second respondent, vide impugned proceedings dated 04.07.2018, issued a direction to the petitioner to remove Sri Raghavendraswami Temple, under Section 78(1)(a) of the Hindu Religious and Charitable Endowments Act. He would further submit that the petitioner is now constructing a new Temple in other place for shifting the idol of Sri Raghavendraswami.

3. Per contra, the learned Special Government Pleader appearing for the respondents, on instructions, submits that there is no idol available in the place and if at all there is any idol of Sri Raghavendraswami, the same will be removed in a safe manner and it will be handed over to the petitioner.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4.



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5. Considering the submissions made by both sides, liberty is granted to the petitioner to remove all the encroachments made by them in the fourth respondent Temple within a period of three months from the date of receipt of a copy of this order, failing which, the respondents are directed to remove all the encroachments and hand over the belongings to the petitioner in a safe manner.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

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



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M.DHANDAPANI, J.

ssb

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