



WEB COPY



W.A.No.1508 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.1508 of 2024

&

C.M.P.Nos.10649 & 10651 of 2024

Church of South India Trust Association

(CSITA No.112/1948)

Rep. by its Director (i/c)

Rev.P.Sures Anandakumar

Old No.1/A, New No.3/1

Anna Salai, Vellore 632 001.

.. Appellant

Vs.

1. The District Collector

O/o. The District Collector

Vellore District, Vellore.

2. Sub Divisional Administrative Magistrate

and Revenue Divisional Officer

Vellore District 9.

3. All India Hindu Maha Sabha

Rep. by its President

Bhuvaneswaripettai, Gudiyathem

Vellore District.

.. Respondents



W.A.No.1508 of 2024

Prayer : Appeal under Clause 15 of the Letters Patent against the order dated 30.04.2024 passed in W.P.No.19123 of 2021.

For Appellant : Mr.Prabhakaran
For M/s. Paul and Paul

For Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for Respondents 1 & 2

Mr.C.Munusamy
Standing Counsel
for Respondent-3

JUDGMENT

(Judgment of the Court was delivered
by the Hon'ble Chief Justice)

Counsel for petitioner is seeking time citing counsel's inconvenience.

2. Shri. Prabakar states that the ad-interim order granted on 09.05.2024 is coming in the way of the respondents even calling upon petitioner to justify their title to the land in question.

3. Paragraph 2 of the impugned order dated 30.04.2024 reads as under:



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“2. The first respondent is directed to take immediate and appropriate action to recover the subject land from the illegal possession of the petitioner and other encroachers and report before this Court. Till the disposal of the main writ petition, the first and second respondents are directed to permit the third respondent and the general public to worship the Lord Hanuman sculpture situated in the subject property by providing adequate police protection from the hands of the petitioner.”

4. This is an interim order in the petition. We clarify that the first respondent, the District Collector is not prevented from taking steps in accordance with law by issuing notice calling upon petitioner to prove its title to the land and to prove that it is not an encroacher or in illegal possession of any land.

5. In view of this, nothing remains in the appeal. The appeal is disposed. There shall be no order as to costs. Consequently, the interim applications stand disposed of.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY, J.)

17.12.2024

Index : Yes/No
Neutral Citation : Yes/No
kpl



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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