



W.P.No.23435 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.23435 of 2018
and W.M.P.No.27351 of 2018**

Sengolmadam Aadheenam Perunkulam
Rep.by Aadheena Kartha
Srilasri Sivaprakasa Desiga Sathyagnana
Pandara Sannadhi
103, Kattukottai,
Vadathorasalur Village,
Srivaikundam Taluk,
Tuticorin District.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner,
52-A/1, Thiruvananthapuram Road,
Palayamkottai,
Tirunelveli-2.



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3.The Executive Officer,
Arulmighu Thirukutralanathaswamy Thirukoil,
Kutralam Tenkasi Taluk,
Tirunelveli District.

4.L.Rajasekaran

5.V.Jayaram

6.L.Dhanasekar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents not to interfere with the title, rights and peaceful possession of the petitioner over the property situated at Survey No.482/37 measuring 24 cents situated at Door No.44, 980 sq.ft vacant land, Kutrala Nadhar Road, Kutralam Village, Tenkasi Taluk, Tirunelveli District, without following due process of law.

For Petitioner : Mr.S.Sithirai Anandam

For Respondents : Mr.K.Karthikeyan
Government Advocate (HR & CE)
for R1 and R2
Mr.K.Ashok Kumar for R3
Mr.Mohammed Uduman for R4
No appearance for R5



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ORDER

This Writ Petition has been filed to direct the respondents not to interfere with the title, rights and peaceful possession of the petitioner over the property situated at Survey No.482/37 measuring 24 cents in Door No.44, 980 sq.ft vacant land, Kutrala Nadhar Road, Kutralam Village, Tenkasi Taluk, Tirunelveli District.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that in respect of the very same subject issue, a suit in O.S.No.245 of 2020 has been filed before the Sub-Court, Tenkasi, and therefore, liberty may be given to the petitioner to canvass all the points raised in this petition before the civil Court where the civil suit is pending.

3. In view of the submissions made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the



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case, grants liberty to the petitioner to canvass all the points before the civil Court, where O.S.No.245 of 2020 is pending.

4. Accordingly, this Writ Petition is closed. There shall be no order as to costs. Connected miscellaneous petition is closed.

09.09.2024

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

To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner,
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M.DHANDAPANI, J.

ssb

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