



WEB COPY



W.P.No.25450 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.No.25450 of 2024

J. Suresh Kumar
represented by his Power of Attorney Holder R.C. Mini
D/o Late V.G. Rajendran Nair
APRA 49, Nirala
Amita Sankar Road
Kannamoola
Thiruvananthapuram – 11

Petitioner

v

- 1 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Buildings
No.1, Gandhi Irwin Road
Egmore
Chennai 600 008
- 2 The Commissioner
Greater Chennai Corporation
Ripon Buildings
Chennai 600 003
- 3 The Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam
Chennai 600 034



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K. Vinoth Kumar

5

The Principal Secretary
Tourism, Culture & Religious Endowments
Department
Chennai

Respondents

(R5 *suo motu* impleaded by this Court on 29.10.2024)

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to initiate action for removal of unauthorised construction put up by the fourth respondent in the land belonging to Arulmighu Dhandeeswara Thirikoil at Door No.7/15, Karunambigai Colony, Velachery, Chennai 600 042.

For petitioner	Ms. K.M. Valsala
For R1	Mr. C. Manoharan, Standing Counsel
For R2	Mrs. P.T.Ramadevi, Standing Counsel
For R3	Mr. N.R.R. Arun Natarajan Special Government Pleader
For R4	Mrs. N.R. Jasmine Padma for Mr. L. Chandrakumar

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents 1 and 2 to initiate action for removal of unauthorised construction put up by the fourth respondent in the land belonging to Arulmighu Dhandeeswara Thirikoil at Door No.7/15, Karunambigai Colony, Velachery, Chennai 600 042.



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2. Today, when the matter was taken up for hearing, the learned Special Government Pleader for the third respondent/H.R. & C.E Department submitted that the order of eviction dated 31.03.2017 passed by the Joint Commissioner under Sections 78 and 79 of the H.R. & C.E. Act has been confirmed in the revision filed under Section 21, *ibid.*, by the Commissioner, H.R. & C.E. *vide* order dated 07.01.2020 and the further revision filed thereagainst, before the Principal Secretary, Tourism, Culture and Religious Endowments Department, Chennai, under Section 114, *ibid.*, is pending consideration.

3. In view of the above submission, to meet the ends of justice, the Principal Secretary, Tourism, Culture and Religious Endowments Department, Chennai, is *suo motu* impleaded as the fifth respondent in this writ petition and the said authority is directed to consider and pass appropriate orders by following the due procedure, on the pending further revision filed under Section 114, *ibid.*, within a period of twelve weeks from the date of receipt of a copy of this order, of course, after affording an opportunity of hearing to all the parties concerned.



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(D.K.K., J.) (P.B.B., J.)
29.10.2024

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To

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4. The Principal Secretary
Tourism, Culture and Religious Endowments Department
Chennai



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D. KRISHNAKUMAR, J.

and

P.B. BALAJI, J.

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