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W.P.No.34326 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.34326 of 2024

Arulmighu Valamburi Vinayagar
Temple Thirupani Mandram,
(Regn.No.238/2018),
Rep.by its President, K.Hariharan,
No.18, Valamburi Vinayagar Koil Street,
Walajabadh Town and Taluk,
Kancheepuram District - 631 605.

...Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Revenue Divisional Officer,
Kancheepuram,
Kancheepuram District.
3. The Tashildar,
Uthiramerur, Kancheepuram District.
4. The Assistant Commissioner,
HR & CE Department,
Kancheepuram, Kancheepuram District.
5. The Managing Trustee,
Arulmighu Valampuri Vinayagar Temple,
Walajabadh, Kancheepuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the sixth respondent to consider the



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representation dated 05.01.2024 of the petitioner regarding disconnect the Electricity connections from TANGEDCO Section office at Walajabadh. (08-328-001-3519, 08-328-001-3520, 08-328-001-3521 and 08-328-001-3522) without submitting the necessary documents and pass orders thereon merits and in accordance with law within a limited time frame.

For Petitioner	: Mr.G.Punniakoti
For R1 to R3	: Mr.V.Ramesh Government Advocate
For R4 & R5	: Mr.NRR.Arun Natarajan Special Government Pleader
For R6	: Mr.L.Jaivenkatesh Standing Counsel

ORDER

The petitioner herein seeks a direction to the sixth respondent to consider the representation of the petitioner dated 05.01.2024 seeking disconnection of the Electricity connection Nos. 08-328-001-3519, 08-328-001-3520, 08-328-001-3521 and 08-328-001-3522 from TANGEDCO Section office, Walajabadh.

2. It is the case of the petitioner that the land situated in new survey no.483/1, Walajabadh, Kancheepuram District, belonged to Arulmighu Valamburi Vinayagar Temple. The seventh respondent encroached the temple



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land and put up construction. It is also stated that the seventh respondent had taken electricity connection by producing bogus documents. Making all these allegations, the petitioner submitted a representation dated 05.01.2024, requesting disconnection of the service connection provided to the illegal construction of the seventh respondent and the same has not been considered till date. Therefore, the petitioner is before this Court.

3. Mr. NRR.Arun Natarajan, learned Special Government Pleader, who takes notice for the respondents 4 and 5 would submit that the fifth respondent temple is under the control of the HR & CE and a fit person was appointed on 06.09.2024. The allegation made by the petitioner would be considered and if there is any encroachment in the temple property, it will be removed by taking action under section 78 of the HR & CE Act.

4. Mr.L.Jaivenkatesh, learned Standing Counsel, who takes notice for the sixth respondent would submit that the representation of the petitioner would be considered on its own merits and appropriate orders will be passed.



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5. In view of the above submission made by the learned standing Counsel, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the sixth respondent to consider the representation of the petitioner dated 05.01.2024 and pass final orders, on it's own merits, after issuing notice to the petitioner, seventh respondent, fit person of the concerned temple and any other interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.
No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order



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S. SOUNTHAR, J.

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