



W.P.No.31144 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31144 of 2024

V.A.Mohammed Mansoor Ali
Petitioner

...

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Nagapattinam.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Nagapattinam.
- 3.The Executive Officer,
Abhisega Kattalai Arulmigu Thiyagaraja Swami Temple,
Tiruvavarur.
- 4.Dhas @ Ramadas
....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 1 to 3



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to take necessary actions to remove the fourth respondent from the Temple lands under the Management of Abishega Kattalai, Arulmigu Thiyagaraja Swami Temple, Thiruvarur forthwith within a time frame fixed by this Court, based on the petitioner's representation dated 28.08.2024.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.S.Ravichandran
Additional Government Pleader
(HR & CE)

ORDER

This Writ Petition has been filed to direct the respondents 1 to 3 to take necessary actions to remove the fourth respondent from the Temple lands under the Management of Abishega Kattalai, Arulmigu Thiyagaraja Swami Temple, Thiruvarur forthwith within a time frame fixed by this Court, based on the petitioner's representation dated 28.08.2024.

2. The case of the petitioner is that the property in Survey No.596 belongs to the Management of Abishega Kattalai, Arulmigu Thiyagaraja Swami Temple, Thiruvarur, and the aforesaid land was rented out to the family of one V.K.N.Mohammed Hussain in the year 1928 and after the death of Mohammed Hussain, the petitioner purchased the possessory right



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from the legal heirs of the said Mohammed Hussain and paid the entire rental arrears to be payable by the family of the said Mohammed Hussain and the first respondent has also granted permission to the third respondent to transfer the tenancy to the petitioner's name, vide proceedings dated 13.06.2024. While so, the fourth respondent is causing disturbance to the peaceful possession of the petitioner and therefore, the petitioner made a representation dated 28.08.2024 to the respondents 1 to 3 to initiate action against the fourth respondent and remove the obstruction made by the fourth respondent in the Temple land, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondent Nos.1 to 3 are directed to dispose of the representation of the petitioner, dated 28.08.2024 on merits and in accordance with law, within a specified period.



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4. The learned Additional Government Pleader appearing for the respondents 1 to 3 has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondent Nos.1 to 3 to consider the representation of the petitioner, dated 28.08.2024 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

23.10.2024

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



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Note: Issue order copy on 24.10.2024

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To

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Nagapattinam.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Nagapattinam.
- 3.The Executive Officer,
Abhisega Kattalai Arulmigu Thiyagaraja Swami Temple,
Tiruvarur.



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M.DHANDAPANI, J.

ssb

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