



WEB COPY



W.P.No.31668 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.31668 of 2024
and
W.M.P.No.34429 of 2024

Saroja Ramachandran

... Petitioner

VS.

1.The Revenue Divisional Officer,
Mathuranthakam Range,
Chengalpattu District.

2.The Thasildar,
Cheyyur Taluk,
Chengalpattu District.

3.The Joint Commissioner,
Hindu Religious and Charitable-
Endowment Department,
Kancheepuram,
Kancheepuram District.

4.The Executive Officer,
Hindu Religious Charitable-
Endowment,
Acharapakkam,
Chengalpattu District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the First and Second Respondents to consider the representation of the petitioner dated 09.10.2024 in accordance with law and permit the petitioner to cut and remove the Eucalyppus Trees standing in the land bearing Survey No.155/10, measuring 2.50 Acres at Kadapakkam Village, Cheyyur Taluk, Chengalpattu District.

For Petitioner : Mr.R.Sankarasubbu

For R1 and R2 : Mr.S.Balamurugan
Government Advocate

For R3 and R4 : Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)

ORDER

The petitioner herein seeks a direction to the respondents 1 and 2 to consider her representation dated 09.10.2024 in accordance with law and permit the petitioner to cut and remove the Eucalyppus Trees standing in the land bearing Survey No.155/10, measuring 2.50 Acres at Kadapakkam Village, Cheyyur Taluk, Chengalpattu District.



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2. It is the case of the petitioner that the above mentioned property belonged to Arulmighu Kasi Viswanathar Temple, Kadapakkam and she is a recorded cultivating tenant for the above mentioned land. It is further stated by the petitioner that due to dearth of water, the petitioner raised Eucalyppus Trees in the above mentioned property and she submitted a representation dated 08.10.2024 before the jurisdictional Joint Commissioner and the 4th respondent seeking their permission to cut and sell the said trees and the same has not been considered. Therefore, the petitioner submitted another representation dated 09.10.2024 before the 1st and 2nd respondents seeking their permission to cut the trees and sell the same.

3. The learned Special Government Pleader (HR and CE) appearing for the respondents 3 and 4 would submit that though the fair rent was fixed for the temple land, the petitioner failed to pay arrears of rent and hence, treating the petitioner as an encroacher of the land, the proceedings were initiated under Section 78 of the Hingu Religious and Charitable Endowments Act, 1959 in M.C.No.2045/2022 on the file of the 3rd respondent.



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4. In view of the same, the petitioner is directed to appear before the 3rd respondent in pending M.C.No.2045/2022 and take appropriate orders from him regarding the disposal of the ripe trees stand in the subject property.

5. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

19.11.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

dm

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