



W.P.(MD) No.9627 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.9627 of 2024

K.C.Palanisamy

... Petitioner

/vs./

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Trichy District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Trichy District.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
Thuvarankurichi,
Trichy District.

5.Malayandi

6.Malayandi

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take action against the 5th respondent based on the recommendation of the 4th respondent dated 06.03.2024 for not taking action to recover the temple lands, for not taking action to the development of the temple for residing in the temple land without any permission, bring the 5th respondents Arulmigu Velamalai Kannimar temple land in S.F.No. 26/1 to an extent of 1.90 hectare, S.F.No. 26/6 to an extent of 0.13.50 hectare and S.F.No. 44/10 an extent of 0.91.50 hectare, total extent of 2.95.00 hectares of Punja land of Velakurichi Village, Marungapuri Taluk, Trichy District for public auction, within the time frame as stipulated by this Court.

For Petitioner : Mr.A.N.Ramanathan

For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

For R5 & R6 : Mr.S.I.Muthiah

ORDER

Heard Mr.A.N.Ramanathan, learned counsel for the petitioner, Mr.P.Subbaraj, learned Special Government Pleader for the respondents 1 to 4 and Mr.S.I.Muthiah, learned counsel for the respondents 5 and 6.



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2. With the consent of the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 4 and the learned counsel for the respondents 5 and 6, this Writ Petition is disposed of at the time of admission, as no adverse orders are proposed to be passed on merits at this stage.

3. The Writ Petition has been filed for a Writ of Mandamus to direct the respondents 1 to 3 to take action against the fifth respondent based on the recommendation of the fourth respondent dated 06.03.2024 for not taking action to recover the temple lands, for not taking action to the development of the temple for residing in the temple land without any permission and to bring the fifth respondent's, Arulmigu Velamalai Kannimar, temple land in S.F.No. 26/1, to an extent of 1.90 hectare, S.F.No. 26/6, to an extent of 0.13.50 hectare and S.F.No. 44/10, to an extent of 0.91.50 hectare, total extent of 2.95.00 hectares, at Velakurichi Village, Marungapuri Taluk, Trichy District for public auction.

4. The learned Special Government Pleader for the respondents 1 to 4 would submit that the petitioner's representation, which was acted upon by the fourth respondent on 06.03.2024, will be disposed of on merits.



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5.The learned counsel for the respondents 5 and 6 would submit that the proceeding under Section 78 of the HR & CE Act, 1959 has already been initiated against the encroachers and steps have been taken to implement the same.

6.Recording the above submission, the Writ Petition stands disposed of by directing the respondents 2 and 3 to take steps to remove the encroachments and act on the report of the fourth respondent as expeditiously as possible, preferably within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

Post this Writ Petition on 28.06.2024 for reporting compliance.

Index : Yes / No

22.04.2024

Internet : Yes / No

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To

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai 600 034.

4/6



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- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Trichy District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Trichy District.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
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C.SARAVANAN, J.

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