



CONT.P.(MD)No.1517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.1517 of 2023

in

WP(MD) No.19903 of 2022

Arunagiri

... Petitioner

Vs

1.Mr.Lakshmanan,
Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Perambalur.

2.The Revenue Divisional Officer,
Lalgudi,
Trichy.

3.The Tahsildar,
Lalgudi,
Trichy.

...Contemnors/Respondents

(R2 and R3 are suo motu impleaded as per the order, dated 02.02.2024, by BPJ in Contempt P(MD) No.1517 of 2023)

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the contemnor/respondent under the provisions of Contempt of Courts Act 1971 for willful and deliberate disobedience of the order passed



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by this Court in WP(MD) No.19903 of 2022, dated 26.08.2022.

For Petitioner :Mr.T.Lenin Kumar
For Respondent :Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

This contempt petition is filed that the order of this Court in WP(MD) No.19903 of 2022 dated 26.08.2022 has not been complied with.

2.This Court, by order dated, 26.08.2022 directed the respondent to initiate action as against the encroachers of the temple land namely, Arulmighu Sangili Karuppanna Swamy, Arulmighu Periyannasamy, Arulmighu Kamatchiamman, Arulmighu Pidari and Arulmighu Ayyanar Temple situated in Keelaperungavoor Village, Lalgudi Taluk, Trichy. Now, the petitioner with a grievance that the respondent has not acted upon the order of this Court has filed this contempt petition.

3.After filing of this contempt petition, the respondent temple has filed a counter statement stating that the HR & CE



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Department has taken initiative by issuing a notice under Section 78 of the HR & CE Act, 1959 in the month of October 2023 itself. Some of the properties of the temple were encroached by the revenue officials and therefore the Revenue Department has taken a stand that this land is not the temple land and it is the Government land. Therefore, this court impleaded the Revenue Divisional Officer and the Tahsildar of Lalgudi, Trichy District as respondents in this Contempt petition and also directed them to produce the relevant records as to whether the subject land is the temple land or it is Government Land.

4. The Revenue Divisional officer, Lalkudi has filed a counter affidavit admitted that the subject land belongs to the above temple and they are now proposed to pay fair rent to the temple authorities and the relevant portion from the Counter affidavit is extracted as under:-

“4.....the first respondent therein has fixed the rent for the said property vide his letter in Na.Ka.No. 1392/2024/C1, dated 21.02.2024. After fixing of such rent, the third respondent therein sought for consent of



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the Joint Registrar of Co-operative Societies as well as the Assistant Director, Rural Development of Panchayats for payment of the rents. Accordingly, the authorities have given their consent to the third respondent office vide Na.Ka.No.2504/2023/PD.S.1, dated 22.02.2024, whereby fixed the rent for fair price shops at Rs.1362/- for an extent of 516 sq.ft per month. Thereafter the Block Development Officer, Lalgudi Panchayat Union has given consent for payment of rent to the temple authorities vide his proceedings in Na.Ka.No.B6/230/2024, dated 23.02.2024 in respect of the Panchayat office, public toilet and anganwadi centre under his control after obtaining necessary consent from the Panchayat Council. It was also agreed that the said rents shall be paid periodically without fail.”

5.Recording the affidavit filed by the Revenue Divisional Officer, Lalgudi, this Contempt petition is closed.

22.03.2024

Index:Yes/No
Internet:Yes/No
vrn



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To
WEB COPY

- 1.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Perambalur.
- 2.The Revenue Divisional Officer,
Lalgudi,
Trichy.
- 3.The Tahsildar,
Lalgudi,
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B.PUGALENDHI, J.

vrn

Order made in
CONT.P.(MD)No.1517 of 2023
in
WP(MD) No.19903 of 2022

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