



W.P(MD)No.23793 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.02.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE P.DHANABAL**

**W.P(MD)No.23793 of 2018
and W.M.P.(MD)No.21544 of 2018**

K.Rajamani

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious & Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
Madurai Division.
- 3.The District Collector,
Theni, Theni District.
- 4.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Dindigul District.



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5.The Tahsildar,
Periyakulam Taluk,
Theni District.

6.The Executive Officer,
HR & CE Department,
(Uththanda Soundararaja Perumal Temple),
Devathanappatti, Periyakulam Taluk,
Theni District.

7.The Inspector,
Hr & CE Department,
(Uththanda Soundararaja Perumal Temple),
Periyakulam Taluk, Theni District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, to direct the Respondents to recover the Land belongs to Arulmigu Uththanda Soundararaja Perumal Temple, situated in Kullapuram Village of Periyakulam Taluk, Theni Dist consists of Acre 2 Cents 76 including the built area of temple structure in survey No. 1139 of Kullapuram Village survey as on the date of 1923 survey by evicting the encroachments from the Temple Land and direct the 6th Respondent to take all necessary steps to protect the Temple Land in the spiritual interest without any further delay to protect the heritage of the temple and consequently consider the petitioner's representation dated 20.10.2018.

For Petitioner : Mr.R.Santhanam

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The encroachment is alleged on the temple property.

2. The learned Advocate for the temple submits that the temple is under the Hindu Religious and Charitable Endowments Department. The application was given to the Revenue Department was survey of the land in 2019. However, no survey is conducted.

3. The temple shall give a fresh application for survey to the concerned authority within one month from today along with the necessary fees. Upon receipt of the same, the survey shall be conducted by the Department, preferably, within six months. Depending upon the report of the survey, the temple and the Hindu Religious and Charitable Endowments Department shall take effective steps for removal of encroachment such as proceedings under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1986.



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4. This Writ Petition accordingly stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.B., J.)

29.02.2024

NCC : Yes/No
Index : Yes/No
vsm

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