



W.P.(MD) No.9 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.9 of 2025

and

W.M.P.(MD) No.6 of 2025

D.Vellaichamy

.. Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.

2.The Revenue Divisional Officer,
Aruppukkottai Sub Division,
Virudhunagar District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar.

4.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

5.Rasu

6.Annam

7.Palraj



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8.Selvam

9.Pandi

10.Elangovan

11.Muthumari

12.Jeyalakshmi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct respondents 1 and 3 to retrieve back the Inam lands belonged to the Kariapatti Sri Ayyanar Temple, Virudhunagar District comprised in S.No.1/1, Kariapatti Village, Virudhunagar District from the hands of respondents 5 to 12 by invoking the provisions of Hindu Religious and Charitable Endowments Act, 1959 and maintain the said land as encroachment free, consequently forbear respondents 2 and 4 from entertaining any patta transfer application arising out of sale transaction took place between respondents 5 to 12 in respect of the land belonged to Kariapatti Sri Ayyanar Temple, Virudhunagar District comprised in S.No.1/1, Kariapatti Village, Virudhunagar District.

For Petitioner : Mr.S.Balamurugan

For R1 & R3 : Mr.P.Subbaraj
Special Government Pleader

For R2 & R4 : Mr.R.Suresh Kumar
Additional Government Pleader



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ORDER

The prayer sought for in the writ petition is seeking for a mandamus to retrieve the Inam lands belonging to the Kariapatti Sri Ayyanar Temple at Virudhunagar, which has been in encroachment by respondents 5 to 12 herein. The petitioner had also made representations to the second and third respondents herein and the same are reflected in communication dated 16.02.2024 of the second respondent and 19.02.2024 of the third respondent.

2. Considering the fact that the representations of the petitioner are pending with the second and third respondent and also considering the claim of the petitioner that the land belongs to the temple, without going into the merits of the claim made by the petitioner, there shall be a direction to the third respondent to consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that the third respondent shall also provide an opportunity of hearing to the private respondents *viz.*, respondents 5 to 12 .



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3. In view of the aforesaid direction, notice to respondents 5 to 12 is dispensed with, as they would be entitled to make their objections before the third respondent.

4. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed

03.01.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes

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K.KUMARESH BABU, J.

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