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W.P.No.44246 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.44246 of 2025 and
W.M.P.Nos.49354 and 49356 of 2025

Rajendran

... Petitioner

-VS-

1. The District Collector
Nagapattinam District,
Nagapattinam.
2. The Tahsildar,
Vedaranyam,
Nagapattinam District.
3. The Block Development District,
Thalanayar, Nagapattinam District.
4. The Village Administrative Officer,
Vellapallam, Vedaranyam Taluk,
Nagapattinam District.
5. The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakam, Chennai-600 034.
6. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No.64/2, Neela North Street,
Nagapattinam – 611 001.



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7. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Nethaji Lane (Near Old Bus Stand),
Nagapattinam - 611 001.

8. The Fit Person / The Executive Officer,
Arulmigu Suganthavaneshwarar Temple,
Pushpavanam, Vedharanyam Taluk,
Nagapattinam District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 2nd respondent in Na.Ka.No.5892/2020/Aa4 dated 06.10.2025, quash the same and consequently direct the 2nd respondent to maintain the revenue records in the name of the temple for the land in S.No.52/2, Vellappallam Village, Vedharanyam Taluk, Nagapattinam District.

For Petitioner : Mr.K.Balu
For R1, R2 & R4 : Mr.M.Venkateswaran
Spl. Govt. Pleader
For R3 : Ms.A.Bakkiyalakshmi
Govt. Advocate
For R5 to R8 : Mr.S.Ravichandran
Addl. Govt. Pleader (HR&CE)

ORDER

(By.S.M.SUBRAMANIAM,J.)

Under assail is the order dated 06.10.2025 passed by the Tahsildar, Vedaranyam in pursuance of the orders passed by this Court in W.P.No.22037 of 2021. The Tahsildar conducted an enquiry in respect of the subject land and found that the land is classified as "Government Land". In the remarks column in the revenue records, it is stated that a



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Temple is situate. The Tahsildar, considering the facts and circumstances as well as the direction issued by this Court in the said writ petition, passed orders, stating that without causing any disturbance to the Temple premises for the purpose of worshipping, the remaining Government land cannot be claimed by any person. It was made clear by the Tahsildar that the Government Poramboke land vests with the Government and is to be used for the public purpose and no person can claim right over the Government poramboke land. The entry made in the remarks column in the revenue records would indicate the status of the land and the said remarks would not confer any right to a person.

2. In the present case, in the remarks column 12, "Temple" is mentioned, which means that a Temple is situate in the Government Poramboke land. Therefore, no person including the Temple can claim right over the entire land. However, the Tahsildar, in pursuance to the orders of this Court, passed an order, stating that the land where the Temple is situate alone is to be left out for the benefit of worshippers and the balance Government poramboke land can be utilized for the public purpose, including construction by Government Departments

3. The question arises whether the present writ petition is maintainable, since it has been filed by one Rajendran, claiming to be the



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Chairman of the Temple Committee, Arulmigu Kanchiyappa Ayyanar Temple. The affidavit filed by him reveals that the Temple is non-listed under the Tamil Nadu Hindu Religious and Charitable Endowments (HR&CE) Act, 1959 and it is maintained by villagers by forming a Committee to administer the day-to-day affairs. Such unregistered committee constituted voluntarily by few persons cannot be construed as “legal entity” and therefore, no writ petition is maintainable.

4. However, in the present case, the writ petition has been instituted in the name of Rajendran, claiming to be the Chairman of Temple Committee. In any event, Rajendran, claiming to be the Chairman of Temple Committee, has no right to claim Government poramboke land.

5. Learned Additional Government Pleader (HR&CE) would submit that a Fit Person has already been appointed on 29.09.2025 under the HR&CE Act and he has taken over charge on 15.10.2025. Thus, the Fit Person will administer the entire affairs of the Temple and necessary proposal will be submitted by the Fit Person and competent authorities to safeguard the interest of the Temple and facilitate the worshippers to have a peaceful worship in the Temple.



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6. Since a Fit Person has been appointed by the HR&CE Department and he has also taken over charge, the petitioner has no locus to claim any right over Government land, which is the subject matter. If at all any grievance exists to the petitioner, he is at liberty to submit the same to the competent authority of the HR&CE Department. As far as Revenue Authorities are concerned, they are bound to safeguard the land to utilize the same only for the public purpose and if any encroachment is made, the same has to be thwarted, by following procedures as contemplated under law.

With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S,J.,) (C.K,J.,)
03.12.2025

Index: Yes
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