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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.07.2026**

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.19179 of 2026
and
W.M.P(MD)No.14162 and 14164 of 2026

Marimuthu .. Petitioner

- Vs. -

1. The Secretary to Government,
   Tourism, Culture and Religious Endowments Department,
   Secretariat,
   Chennai-600 009.

2. The Commissioner,
   Office of the Commissioner,
   Hindu Religious and Charitable Endowment,
   Chennai-600 034.

3. The Joint Commissioner,
   Office of the Joint Commissioner,
   Hindu Religious and Charitable Endowment,
   Trichy - 05.

4. The Assistant Commissioner,
   Office of the Assistant Commissioner,

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Hindu Religious and Charitable Endowment,
Trichy - 05.

5. The Executive Officer,
Arulmighu Kasi Viswanathanswamy Temple,
Uraiyur Town, Trichy - 620 003.
Having Office At
Arulmighu Vekkaliyamman Temple,
Uraiyur Town, Trichy-620 003. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records of the proceedings of the 4th Respondent in Na.Ka. No. 6563-3/2018/A8 dated 16.06.2026 and quash the same and directing the 4th respondent not to take any coercive action against the impugned proceeding consequently not to disturb the Petitioners Possession until the Final Disposal of the Pending Appeal Petition filed by the Petitioner under the Section 114 of the Tamil Nadu Hindu Religious and Charitable Endowment, 1959 on the file of the 1st Respondent.

For petitioner : Mr.Ramesh Mahadev

For respondents : Mr.R.Parthiban
Counsel for the State of Tamilnadu
for R1 to R4

: Mr.V.Chandrasekar
Standing Counsel for R5

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ORDER

The petitioners are unsuccessful appellants before the Government under Section 114 of the Tamilnadu Hindu Religious and Charitable Endowments Act, 1959. They had unsuccessfully challenged the eviction orders dated 23.11.2023 passed by the Joint Commissioner, HR&CE Department, Trichy. The revisions filed under Section 21 of the HR&CE Act, 1959, is pending before the Government.

2. It is the case of the petitioners that the petitioners have been in possession of the property either by themselves or through their predecessors for over 30 years, and have been regularly paying the amounts due to the 5th respondent temple. Despite the same, adverse orders have been passed by invoking the machinery under Section 78 of the HR&CE Act, as if the respective petitioners were encroachers.

3.The learned counsel for the State of Tamilnadu for the respondents submitted that the possession of the property of the petitioners will not be

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disturbed until the disposal of the Appeal filed under Section 114 of the HR&CE Act, pending before the Government.

4. Recording the same, I am inclined to dispose this writ petition by directing the first respondent to dispose of the respective appeals of the petitioners filed under Section 114 of the HR&CE Act, 1959, against the order of the Commissioner in R.P.No.3 to 5 of 2024 dated 22.04.2026 as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

09.07.2026
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Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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