



W.P.(MD) No.19744 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2026

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.19744 of 2026

and

W.M.P.(MD)No.14590 of 2026

T.Punithavathi

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Karur.

4.The Executive Officer,
Sri Balsubramaniya Temple,
Kathapparai Village,
Vennamalai Post,
Karur Taluk,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
for issuance of a Writ of Mandamus, forbearing the respondents from



W.P.(MD) No.19744 of 2026

evicting the petitioner's residential house till the disposal of the suit in O.S.No.401/2025, on the file of the Principal Subordinate Court, Karur.

For Petitioner : Mr.D.Selvanayagam
For R1 to R3 : Mr.S.Venkatesh
Government Standing Counsel
For R4 : Mr.P.Athimoola Pandian
Standing Counsel

ORDER

The petitioner is before this Court seeking a Writ of Mandamus forbearing the respondents from evicting the petitioner from the residential house pending disposal of O.S.No.401 of 2025 on the file of the Principal Sub Court, Karur.

2. The learned counsel appearing for the fourth respondent Temple submitted that the respondents have already taken possession of one out of the two shops situated in the subject property.

3. It is seen that proceedings were initiated against the petitioner under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as "the H.R. & C.E. Act") by issuance of a notice dated 18.11.2024. Thereafter, an order came to be



W.P.(MD) No.19744 of 2026

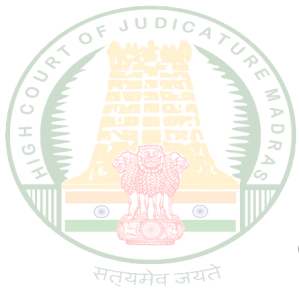
passed by the second respondent / Joint Commissioner on 19.03.2025.

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Aggrieved by the said order, the petitioner has neither preferred an appeal nor a revision before the Appellate/Revisional Authority under the provisions of the H.R. & C.E. Act. Instead, the petitioner instituted O.S.No.401 of 2025 before the Principal Sub Court, Karur, seeking a declaration. In the said suit, the petitioner had also filed an application seeking interim injunction.

4. Both the learned counsel for the petitioner and the learned Standing Counsel appearing for the fourth respondent fairly submitted that the application for interim injunction was dismissed on 25.09.2025. Challenging the said order, the petitioner preferred a Civil Revision Petition before this Court, which came to be disposed of with a direction to the Trial Court to complete the trial within a period of six months.

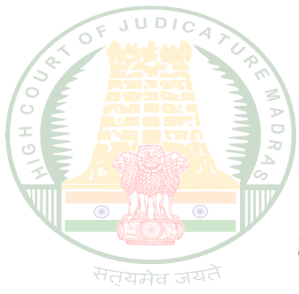
5. The learned counsel for the petitioner submitted that, without prejudice to the petitioner's rights in the pending suit, the petitioner is willing to pay proportionate rent for the entire extent of the property measuring 4,579 square feet, over which the petitioner has put up construction. It is further submitted that the petitioner is willing to pay a sum of Rs.8,000/- per month with effect from June, 2026.



W.P.(MD) No.19744 of 2026

6. The learned Standing Counsel appearing for the fourth respondent submitted that, subject to the petitioner depositing the aforesaid amount regularly, the portions presently kept under seal will be de-sealed.

7. Having regard to the aforesaid submissions, this Court directs that, without prejudice to the petitioner's rights and contentions in O.S.No. 401 of 2025, the petitioner shall pay a sum of Rs.8,000/- per month from June, 2026 to the fourth respondent Temple. In the event of any default in payment, even during the pendency of the suit, it will be open to the respondents to take possession of the property in accordance with law. The petitioner shall pay the rent for the months of June and July, 2026, on or before 31.07.2026. Thereafter, with effect from August, 2026, the monthly rent shall be paid on or before the 10th day of every English calendar month. Upon payment of the arrears for the months of June and July, 2026, the respondents shall de-seal the portions under seal. It is made clear that such de-sealing shall be subject to the final outcome of O.S.No.401 of 2025, pending on the file of the Principal Sub Court, Karur.



W.P.(MD) No.19744 of 2026

8. The Writ Petition stands disposed of on the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

NCC : Yes / No
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14.07.2026

To

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W.P.(MD) No.19744 of 2026

C.SARAVANAN, J.

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W.P.(MD) No.19744 of 2026

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