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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2026**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)Nos.27507 to 27514, 27948 and 27949 of 2025
and

W.M.P.(MD)Nos.21397, 21398, 21407, 21408, 21500, 21502, 21409,
21411, 21405, 21406, 21399, 21401, 21403, 21404, 21703 and 21704

Noordeen P	... Petitioner in WP(MD) 27507/ 2025
S.Suthan	... Petitioner in WP(MD) 27508/ 2025
N.Mohamed Sulaiman	... Petitioner in WP(MD) 27509/ 2025
N.Mohamed Sulaiman	... Petitioner in WP(MD) 27510/ 2025
Seiva Chidambaram	... Petitioner in WP(MD) 27511/ 2025
P.Murugan	... Petitioner in WP(MD) 27512/ 2025
Murugan M	... Petitioner in WP(MD) 27513/ 2025
M.Katchi Mohamed	... Petitioner in WP(MD) 27514/2025



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J.Kamlesh Kumar N

... Petitioner in WP(MD)
27948/ 2025

P.Muthu Kumar

... Petitioner in WP(MD)
27949/ 2025

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungampakkam, Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Kanyakumari District,
Office at Suchindram - 629 704.

3.Nagarajan

... Respondents W.P.(MD)No.
27507 to 27514/ 2025

The Joint Commissioner / Executive Officer,
Hindu Religious and Charitable
Endowment Department,
Kanyakumari District Temples,
Suchindram – 629704.

... Respondents in WP(MD)
27948 & 27949/ 2025

COMMON PRAYER:- Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Writ of Certiorari, calling for the records pertaining to the order passed by the 2nd respondent in Na.Ka. No.2447/2025/D3 dated 25.09.2025 and quash the same.



In W.P.(MD)Nos.27507 to 27514 of 2025:

For Petitioner : Mr.P.T.Ramesh Raja
For Respondents : Mr.J.Ashok (R1 & R2)
Additional Government Pleader

In W.P.(MD)Nos.27948 & 27949 of 2025:

For Petitioner : Mr.R.Murali
For Respondent : Mr.J.Ashok
Additional Government Pleader

COMMON ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

Notices issued by the Joint Commissioner/Executive Officer to remove the structures put up by the petitioners in and around Mandapam of Arulmigu Bhagavathi Amman thirukovil, Kanniyakumari, pursuant to the direction of this Court dated 22.06.2025 in W.P.(MD)No.26210 of 2025, are placed under challenge, in these writ petitions.

2.The contention of the petitioners is that the shops in and around the Kanniyambalam Mandapam, was legally let out by the HR & CE Department for rent and they are carrying on business for the past 20 years. Their livelihood depends on the income from the shop. Therefore, they cannot be evicted without following due process.



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3. We are shocked to see how an ancient structure containing sculptures with excellent artistic work has been let out for rent by the HR & CE Department unmindful of their responsibility to protect the antique structure. The Joint Commissioner had involved in exploiting the temple property for financial gain. The writ petitioners can have no right to damage the antique and ancient structures on the strength of the illegal permission granted by the Joint Commissioner, HR & CE. Even a day more, allowing them to be in the mandapam, would continue the dereliction of the building.

4. Thus, we hold that though the writ petitioners might have been put into place as tenant by the HR & CE Department, their very presence in the antique mandapam is in violation of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and hence, they are necessarily to be removed to protect the ancient monument.

5. The tenants/writ petitioners shall vacate /remove their shops in Kaniyambalam Mandapam on their own, failing which the Joint Commissioner, HR & CE Department, Kanyakumari District, shall take necessary action for removing them from the premises.



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6. In the result, the present writ petitions are dismissed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
10.02.2026

Index : Yes/No
Internet : Yes
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To

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No.119, Uthamar Gandhi Salai,
Nungampakkam, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Kanyakumari District,
Office at Suchindram - 629 704.



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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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