



W.P.(MD) No.1816 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.1816 of 2021

and

W.M.P.(MD) Nos.1550 & 1553 of 2021

1.S.Nallamaruthu

2.M.Muthuramalingam

3.S.Murugesan

... Petitioners

-VS-

1.The Hindu Religious &
Charitable Endowment Department
Rep.by its Commissioner
Nungambakkam High Road
Chennai-600 034

2.The Assistant Commissioner
The Hindu Religious &
Charitable Endowment Department
B1, Road Ellis Nagar
Madurai District

3.The Revenue Divisional Officer
O/o.Revenue Divisional Officer
Thirumangalam Division
Madurai District



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4.Shri Varatharaja Perumal Kovil
rep.by its Fit Person
Kallanai
Kallikudi Taluk
Madurai District

5.V.Azhagu Malai

6.R.Perumal

7.G.Chandran

8.R.Ramanathan

9.P.Sangan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 9 in Survey Nos.21/1 and 42/6 in Kallanai Village, Kallikudi Taluk, Madurai District and consequently, direct the respondents to permit all the villagers of Kallanai and Melapuligundu to worship at the Shri Varatharaja Perumal Kovil, Kallanai, Kallikudi Taluk, Madurai District, within a time frame.

For Petitioners : Mr.T.Lajapathi Roy

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1 to R3
Mr.S.Manohar for R4
Dr.C.Guhaseelarupan



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 9 in Survey Nos.21/1 and 42/6 of Kallanai Village, Kallikudi Taluk, Madurai District and to permit the villagers of Kallanai and Melapuligundu Villages to worship the deity of Shri Varatharaja Perumal Kovil, Kallanai, Kallikudi Taluk, Madurai District, within a time frame.

2. When the matter was taken up for hearing, the learned counsel appearing for the respective respondents, on instructions, submitted that there is no encroachment as alleged by the petitioners in the subject land and also there is no prohibition to anybody to worship the deity of Shri Varatharaja Perumal Kovil.

3. The learned counsel appearing for the petitioners stoutly refuted the above submission of the learned counsel appearing for the respective respondents.



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4. Recording the above submission of the learned counsel appearing for the respective respondents and granting liberty to the petitioners to approach the authority concerned, if any further encroachment is noticed and to approach the competent Civil Court for redressal of their grievance with regard to the worship of the deity in the subject Temple, in accordance with law, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [J.S.N.P., J.]

26.10.2022

Index : Yes / No
Internet : Yes / No

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To:

- 1.The Commissioner,
Hindu Religious &
Charitable Endowment Department,
Nungambakkam High Road, Chennai-600 034.
- 2.The Assistant Commissioner,
The Hindu Religious &
Charitable Endowment Department,
B1, Road Ellis Nagar, Madurai District.
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