



W.A.No.2450 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2450 of 2022

1.Geetha Raman
2.S.Ravi
3.Srimathi Kumar
4.Vasumathi Madhavan
5.Sumathi Srinivasan

.. Appellants

(Appellants 1, 3, 4 & 5 are represented by
their power agent S.Ravi - 2nd appellant)

Vs.

1.The Tahsildhar,
Mylapore Taluk,
Greenways Road,
Chennai-600 028.

2.The Executive Officer,
Hindu Religious & Charitable Endowment Department
of Arulmigu Madhavaperumal Thirukoil,
Mylapore, Chennai-600 004.

.. Respondents



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Prayer : Appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 3.8.2022 passed in W.P.No.19667 of 2022.

For the Appellants : Mr.V.Chandrakanthan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent No.1

: Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader (HR&CE)
for respondent No.2

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.V.Chandrakanthan, learned counsel for the appellants; Mr.P.Muthukumar, learned State Government Pleader for the first respondent; and, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for the second respondent.

2. The appellants have filed a petition seeking direction to issue patta in their favour. The temple claims that the land belongs it.



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3. The learned Single Judge directed the parties to establish their rights in accordance with law and further directed that recovery of the temple property shall be strictly in accordance with law.

4. Learned counsel for the appellants submits that the second respondent has locked the premises without following due process of law.

5. Learned Special Government Pleader (HR & CE) submits that it was to protect the property that the lock and seal was placed. He accepts that no notice was issued, nor any proceeding was undertaken.

6. In the light of that, the second respondent shall remove the lock and seal, preferably within seven days from today. The second respondent is entitled to proceed under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. It is also open to the second respondent to take such other course as may be permissible under law. It is open to the appellants to take such other



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proceedings as may be advisable.

7. With these observations, the writ appeal stands disposed of.
There will be no order as to costs. Consequently, C.M.P.No.19016 of 2022 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

24.11.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

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