



**W.A.(MD) No.725 of 2023**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.06.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.725 of 2023  
and  
C.M.P.(MD) No.6264 of 2023**

The Executive Officer  
Arulmighu Kalyanasundareshwarar  
Kamatchiamman Thirukovil  
Melur, Madurai District

... Appellant

-vs-

1.G.Vijaya

2.The Joint Commissioner  
Hindu Religious and  
Charitable Endowment Department  
Madurai

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.04.2023, passed in W.P.(MD) No.6692 of 2023, on the file of this Court.

For Appellant : Mr.K.Govindarajan  
for Mr.R.Murali

For Respondents : Mr.R.R.Kannan for R1



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**J U D G M E N T**

**[Judgment of the Court was made by R.SUBRAMANIAN, J.]**

Mr.K.Govindarajan, learned counsel representing Mr.R.Murali, learned counsel on record for the appellant, would submit that the order impugned in the writ petition is not an eviction order and it is only an order of cancellation of lease and the Executive Officer of the Temple will take action in accordance with the Tamil Nadu Public Trusts (Regulations of Administration of Agricultural Lands) Act, 1961, for eviction.

**2.** Recording the above statement, this writ appeal is disposed of. It is made clear that the first respondent / writ petitioner will be entitled to erect fence and borewell in the subject lands. The liberty granted to the first respondent to move contempt alone is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

**[R.S.M., J.]**

**[L.V.G., J.]**

**06.06.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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