



W.P.Nos.25908, 25910, 25942, 25943, 25946,
25947, 25953, 25954 & 25956 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 01.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.25908, 25910, 25942, 25943, 25946,
25947, 25953, 25954 & 25956 of 2024
and
WMP.Nos.28320, 28278, 28329,
28337, 28339, 28332, 28328, 28279,
28323, 28311, 28338, 28333, 28322,
28319, 28318, 28312, 28331, 28283,
28280, 28317, 28314, 28321, 28324,
28316, 28284 & 28330 of 2024

W.P.No.25908 of 2024

M.Samudi

... Petitioner

Vs.

1.The District Collector
Tirupattur District
Tirupattur 635 601.

2.The Commissioner
Hindu Religious and Charitable Endowments Department
Nungambakkam
Chennai 600 034.



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3.The Joint Commissioner

Hindu Religious and Charitable Endowments Department
Vellore, Vellore District.

4.The Assistant Commissioner

Hindu Religious and Charitable Endowments Department
Tirupathur, Tirupathur District.

5.The Tahsildhar

Natrampalli Taluk
Tirupattur District 635 852.

6.The Fit Person/Executive Officer

(Arulmigu Perumal Swamy Thirukoil)
Kathari Village, Natrampalli Taluk
Tirupattur District.

7.R.Sekar

8.The Secretary to the Government

of Tamil Nadu, Hindu Religious and Charitable
Endowments Department, Fort St.George,
Chennai.

**(R8-suo motu impleaded as per order
dated 29.10.2024 in W.P.No.25908/2024)**

....Respondents

For Petitioners : Mr.N.G.R.Prasad
Assisted by
Mr.S.Sivakumar



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COMMON ORDER

This case was listed under the caption “for reporting compliance.”

2. After disposing of the Writ Petitions, this Court has posted the matter for filing a report on compliance to place on record the 78 proceedings that are pending and how they are being monitored. In compliance with this, the report is now filed. Paragraphs 7 and 8 of the said report are extracted hereunder:

“7. It is submitted as on 01.01.2024 a total 11,324 petitions (under Section 78 of the Act) are pending the enquiry before the 20 Regional Joint Commissioners. During the year 2024, total 2,515 new petitions have been filed, bringing the total to 13,839 petitions. Out of this, till date 3,613 petitions have been disposed, leaving balance of 11,226 petitions still pending enquiry.



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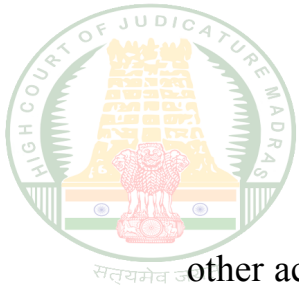


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8. It is submitted that instructions were already given by the Commissioner in R.C.No.46437/2021/D2, dated 23.06.2021 to all Joint Commissioners and Assistant Commissioners about the procedures to be followed while taking action under Section 78 of the Act. It is submitted that necessary instructions have been given vide Circular No.46437/2021/D2 dated 29.08.2024, to all the Joint Commissioners to complete the enquiry on the petition filed under Section 78 of the Act within a period of 6 months. The Same will be monitored and periodically reviewed by this respondent. Necessary action will be taken against the erring officials.”

3. In light of this, since it is stated that the entire situation is now monitored by the Commissioner, compliance is recorded. It is worth noting that the Commissioner could also consider developing a portal to ensure that periodic progress and monitoring are brought to his attention, and that the petitions are addressed.

4. The Commissioner can also examine the Trademark Registry's portal. The Trademark Registry's portal operates completely online until the arguments are presented. Filing, uploading of documents, oppositions, and

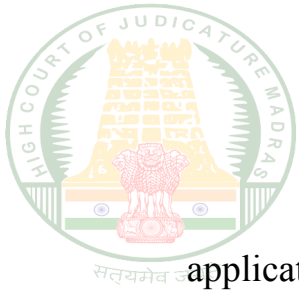


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other actions, as per the rules, are programmed to proceed to the next stage in a timely manner, eliminating undue adjournments. Similarly, in Section 78 proceedings, rules have already been framed. According to the rules, an online portal can be created from the stage of the showcase notice to the filing of objections and explanations, uploading of supporting documents, and the exchange of documents, allowing the matter to proceed up to the stage of arguments. Thereafter, the matter can be guided for the examination of witnesses, if any, as well as for arguments and for orders in a timely manner. Finally, the final orders that are passed can be uploaded, ensuring their execution.

5. As of today, it is noted that 11,226 applications are pending. Society is no longer approaching the temple properties for the purposes for which they were dedicated and with fear of God (*Sivan Sothu Kula nasam*). There is a sizeable number of encroachments upon temple properties. Given these significant numbers, advanced methods for developing online portals to conduct, monitor, and e-file pleadings, documents, etc., in proceedings under the Act, specifically under Sections 78 & 79, as well as Execution



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applications and follow-up actions, can be specially developed. Additionally, virtual hearings could be provided to avoid adjournments. Officers handling these issues need to be trained on the procedures for conducting inquiries. Suitable amendments to the rules can be made. The petitions are closed.

01.04.2025

Neutral Citation : No
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To

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- 2.The Commissioner
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Nungambakkam
Chennai 600 034.
- 3.The Joint Commissioner
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Vellore, Vellore District.
- 4.The Assistant Commissioner
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- 5.The Tahsildhar
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- 6.The Fit Person/Executive Officer
(Arulmigu Perumal Swamy Thirukoil)
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