



W.P.(MD) Nos.11019 to 11021 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2024

CORAM

**THE HON'BLE MR.JUSTICE C.SARAVANAN**

**W.P.(MD) Nos.11019 to 11021 of 2024**

**and**

**W.M.P.(MD)Nos.9820, 9824 and 9821 of 2024**

|                                                                                                      |                                                                                                                                      |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Subbulakshmi,<br>W/o.Late.Pounraj<br>Dharmar,<br>S/o.Periya Mariyappan<br>Subbulakshmi,<br>W/o.Seeni | ... Petitioner in W.P.(MD)No.11019 / 2024<br>... Petitioner in W.P.(MD)No.11020 / 2024<br>... Petitioner in W.P.(MD)No. 11021 / 2024 |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|

Vs.

- 1.The Commissioner,  
Hindu Religious and Charitable Endowments,  
Nungambakkam, Chennai.
- 2.The Joint Commissioner,  
Hindu Religious and Charitable Endowments,  
Madurai Division, Madurai District.
- 3.The Assistant Commissioner / Executive Officer,  
Arulmighu Mariyamman Kovil,  
Irukkangudi, Sattur Taluk,  
Virudhunagar District. ... Respondents in all the W.Ps.

Prayer in all the W.Ps.: Writ Petitions filed under Article 226 of Constitution of India for issuance of a Writ of Certiorari, calling for the records relating with the impugned order of the third respondent in his proceedings in Na.Ka.No.465/2008-4/A3/dated 24.04.2024 and quash the same as illegal.



WEB COPY



W.P.(MD) Nos.11019 to 11021 of 2024

For Petitioners in all the W.Ps.: Mr.Karmega Kannan  
for Mr.S.Vellaichamy

For R1 and R2 in all the W.Ps.: Mr.P.T.Thiraviam  
Government Advocate

For R3 in all the W.Ps. : Mr.VR.Shanmuganathan  
Standing Counsel

### **COMMON ORDER**

By this common order, all the three Writ Petitions have been disposed of at the time of admission after hearing the learned counsel for the petitioners, the learned Government Advocate for the respondents 1 and 2 and the learned Standing Counsel for the third respondent.

2. The petitioners are one among 177 lessees of the Temple. Earlier, there were large scale encroachments of the land surrounding the Temple premises by various hawkers. Earlier, an order came to be passed by the learned Single Judge of this Court in W.P.(MD)No.1734 of 2017, which came to be disposed of on 21.12.2017. A further appeal was preferred by some of the encroachers as also by the regular lessees in W.A.(MD)No.710 of 2018.



W.P.(MD) Nos.11019 to 11021 of 2024

3. The petitioner in W.P.(MD)No.11021 of 2024 was the second appellant in W.A.(MD)No.710 of 2018. By a judgment dated 14.09.2021, certain directions were issued. Pursuant to which, the vendors, who were encroaching the Temple premises were evicted and regular tenants were given a temporary accommodation to the southern side of the Temple premises, as the place was to be freshly constructed.

4. The learned Standing Counsel for the third respondent Temple would submit that the new structure is under construction. It is submitted that the petitioners have failed to pay the rents due to the Temple and they have also been found encroaching on the eastern side of the Temple premises and they have refused to vacate the premises, though they gave an undertaking to the Temple on 03.03.2024 that they will vacate the premises.

5. The learned counsel for the petitioners would submit that the arrears of rent will be paid immediately and that the petitioners will vacate the areas occupied by them other than the areas allotted to them on temporary basis.



W.P.(MD) Nos.11019 to 11021 of 2024

6. Recording the above submissions made by the learned counsel for the petitioners, these Writ Petitions are closed, by directing the Temple to accept the arrears to be paid by the petitioners for the months, for which they have not paid the rent and subject to the petitioners vacating the encroached area. No costs. Consequently, connected Miscellaneous Petitions are closed.

7. It is made clear that the petitioners will participate in the auction to be held pursuant to the directions of this Court in W.A.(MD)No.710 of 2018, dated 14.09.2021.

Index : Yes/ No  
Neutral Citation: Yes / No  
smn2  
To

30.04.2024

- 1.The Commissioner,  
Hindu Religious and Charitable Endowments,  
Nungambakkam, Chennai.
- 2.The Joint Commissioner,  
Hindu Religious and Charitable Endowments,  
Madurai Division, Madurai District.
- 3.The Assistant Commissioner / Executive Officer,  
Arulmighu Mariyamman Kovil,  
Irukkangudi, Sattur Taluk,  
Virudhunagar District.



WEB COPY



W.P.(MD) Nos.11019 to 11021 of 2024

**C.SARAVANAN, J.**

smn2

Common order in  
W.P.(MD) Nos.11019 to 11021 of 2024

30.04.2024