



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.23868, 23870 to 23874 of 2023

and

W.M.P.(MD)Nos.20029, 20031, 20060, 20043,
20033 and 20032 of 2023

W.P.(MD)No.23868 of 2023

V.Palringam

... Petitioner

versus

1. The Joint Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowments Department,
Dindigul.
2. The Assistant Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowments Department,
Theni.
3. The Fit Person/Executive Officer,
Arulmigu Nalloothu Karupanasamy
Thirukoil,
Thidian,
Usilampatti Taluk,
Madurai District.

... Respondents



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records of the 1st respondent dated 08.09.2023 in proceedings petition No. 10/2023/AA3, quash the same, as the same is arbitrary, ultravires, in colorable exercise of power, contrary to the order passed in O.A.No.73 of 1961.

For Petitioner : Mr.R.G.Shankar Ganesh
For R1 and R2 : Mr.P.Subba Raj,
Special Government Pleader
For R3 : Dr.Ramesh Mahadev

COMMON ORDER

These writ petitions have been filed as against the show cause notice dated 08.09.2023, issued by the first respondent, calling upon the petitioners to offer their explanations as to why they should not be evicted from the temple properties.

2. The learned counsel appearing for the petitioners submits that the petitioners have been declared as Hereditary Trustees of Arulmighu



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

Nalloothu Karupanasamy Thirukoil, Usilampatti Taluk, Madurai

District. They have also been declared as Poojaris of the Temple and they have performed their duty as poojaris to the deity. According to them, the properties, which they are in occupation, are the service inam lands given to them for their services rendered to the Temple. However, they have been treated as encroachers. Therefore, the impugned notice dated 08.09.2023 has been issued by the first respondent/the Joint Commissioner of HR&CE Department, Dindigul. As against the same, the present writ petitions have been filed.

3. The learned Special Government Pleader appearing for the respondents 1 and 2 submits that the impugned proceedings is only a show cause notice issued by the first respondent/the Joint Commissioner of HR&CE Department, based on the report submitted by the Executive Officer of the Temple, in order to ascertain that under what authority, the petitioners are in occupation of the temple lands. Even now, if the petitioners are having sufficient documents to



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

substantiate their case that the lands have been given to them as service inam lands for their services rendered to the temple, they can very well appear before the Joint Commissioner and produce the same at the time of enquiry.

4. This Court considered the rival submissions made.

5. The petitioner claims that they are doing some services to the Temple as Poojaris of the Temple and they are in occupation of the temple lands, which are given to them as service inam lands for their services rendered to the temple.

6. The proceedings impugned in these writ petitions are only the show cause notices issued by the Joint Commissioner of HR&CE Department, Dindigul, based on the report submitted by the Executive Officer of the Temple, to ascertain under what authority, they are in occupation of the temple lands.



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

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7. If the petitioners are having sufficient documents that they are occupying the lands as “inamthar”, they can very well produce the same before the first respondent/the Joint Commissioner of HR&CE Department, Dindigul, during the enquiry.

8. Accordingly, these writ petitions are disposed of. The petitioners shall produce the relevant documents, if any, before the first respondent/the Joint Commissioner, HR&CE Department, Dindigul, during the enquiry. If any such documents are produced, the first respondent shall consider the same and take a decision within a period of four months from the date of receipt of a copy of this order. Till such time, the petitioners shall not be disturbed. No costs. Consequently, connected miscellaneous petitions are closed.

12.03.2024

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NCC : Yes / No.

Index : Yes / No.



W.P.(MD)Nos.23868, 23870 to 23874 of 2023

Internet : Yes / No.

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B.PUGALENDHI, J.

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