



WEB COPY



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

**W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022**

B.Saravanan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
represented by its Secretary,
Hindu Religious and Charitable Endowments,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Nungambakkam,
Chennai – 600 034.
- 3.The District Collector,
Cuddalore District,
Cuddalore.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Cuddalore.



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022

- 5.The Commissioner,
Chidambaram Municipality,
Chidambaram,
Cuddalore District.
- 6.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Cuddalore.
- 7.The Fit Person,
Arulmigu Gurunamashivaya Moorthi Mutt,
Chidambaram – 608 001.
Cuddalore.
- 8.The Tahsildar,
Chidambaram Taluk,
Chidambaram,
Cuddalore District.
- 9.The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
- 10.V.Pasavaraj,
Ex-Trustee,
Arulmigu Gurunamashivaya Moorthi Mutta,
Chidambaram – 608 001.
Cuddalore.
- 11.V.Vanchinathan
- 12.A.Radhakrishnan

.. Respondents

Petition filed under Article 226 of The Constitution of India
praying for grant of time for a period of six months to comply the
order passed by this Court in W.P.No.12358 of 2022 dated 30.09.2022.



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

WEB COPY

For Petitioner : Mr.R.Sagadevan
for Mr.V.Udayakumar

For Respondents : Mr.T.K.Saravanan,
Government Advocate
for R1, R3, R5, R8 and R9
Mr.N.R.R.Arun Natarajan,
Special Government Pleader
for R2, R4, R6 and R7
Mr.Avinash Wadhwani for R10
Mr.T.Saravanan for R11

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned 'Writ Miscellaneous Petition' (hereinafter 'WMP' for the sake of brevity) has been filed pursuant to liberty granted to the petitioner by Hon'ble Supreme Court vide order dated 12.12.2024 in Petition for Special Leave to Appeal (C) No.24285 of 2022. A scanned reproduction of the order of Hon'ble Supreme Court is as follows:



WEB COPY



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022

30

SLP(C) No. 24285/2022

ITEM NO.12

COURT NO.14

SECTION XII

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 24285/2022

[Arising out of impugned final judgment and order dated 30-09-2022
in WP No. 12358/2022 passed by the High Court of Judicature at
Madras]

B.SARAVANAN

Petitioner(s)

VERSUS

THE GOVERNMENT OF TAMIL NADU & ORS.

Respondent(s)

{ IA No. 205560/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 83317/2023 - EXEMPTION FROM FILING O.T., IA No.
7194/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES}

WITH

SLP(C) No. 410/2023 (XII)

IA No. 3564/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT}

Date : 12-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE NARAYAN

For Petitioner(s) Dr. Narada Kishore, ADR

For Respondent(s) Mr. K Radhakrishnan, Sr. Adv.
Mr. D.kumaran, ADR
Ms. Deepa S, Adv.
Mr. Sheikh F Kalis, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.



WEB COPY



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022

31

SIPIC: M- 36285/2022

Mr. M.p. Parthiban, AOR
Mr. R. Sudhakaran,
Mr. Bilal Mansoor,
Mr. Shreyas Kaushal,
Mr. S. Geyolin Selvam,
Mr. Alagiri K,
Mr. P.v.k. Deivendran, Adv.

Mr. Suriya Kannan Sabanayagam, Adv.
Ms. Smita Amratlal Vora, AOR
Mr. Ravi Kumar S., Adv.

Mr. G.sivabalamurugan, AOR
Mr. Selvaraj Mahendran, Adv.
Mr. Rony V.p, Adv.
Mr. C.adhikesavan, Adv.
Mr. Harikrishnan P.V, Adv.
Mr. C. Kavin Ananth, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Having heard the learned counsel appearing for the parties and having gone through the materials on record, we are not inclined to disturb the impugned order passed by the High Court.
2. In the impugned order more particularly para 4 the High Court has observed as under:-

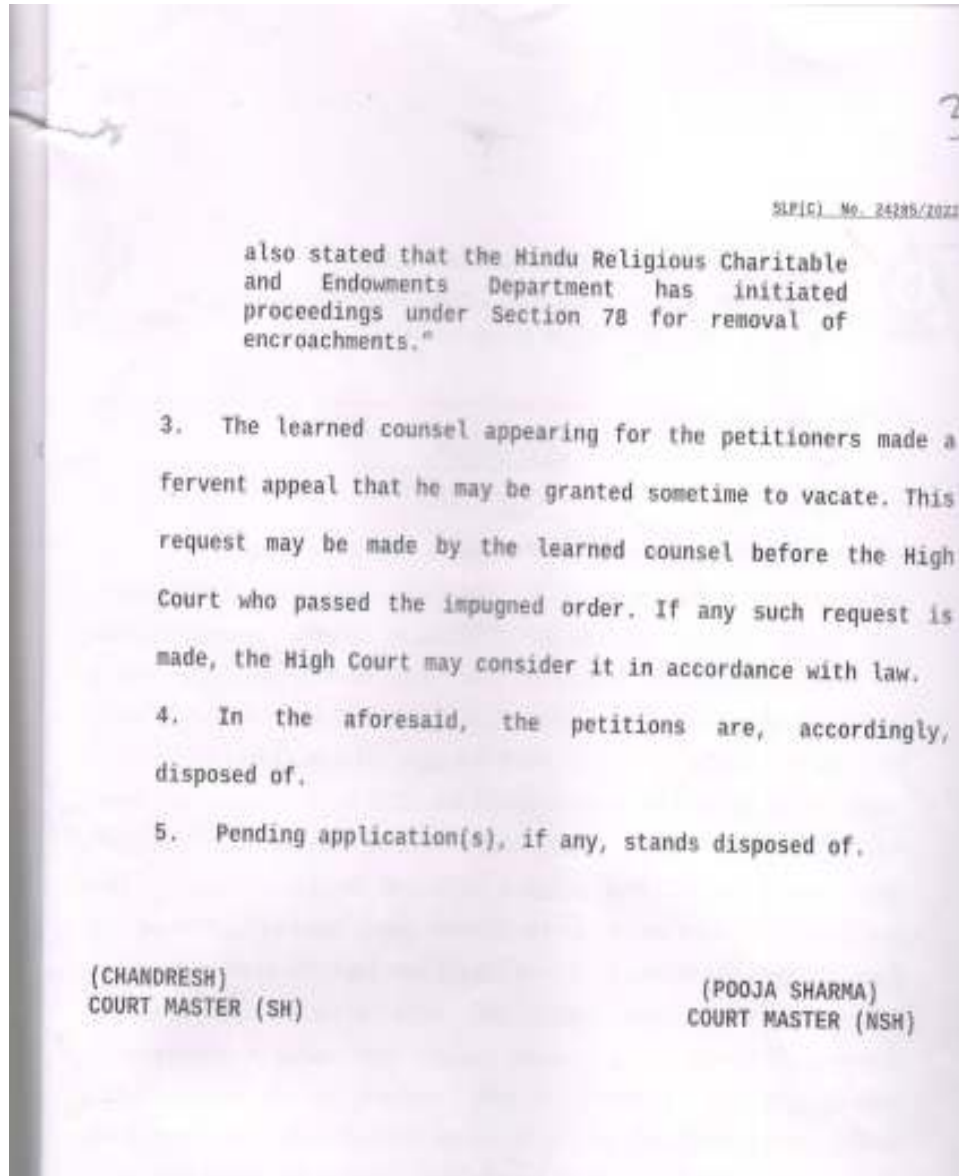
"In the light of the fact that the authorities have graciously commenced eviction proceedings after considerable prodding by this Court, we do not think that the status quo order should be allowed to continue. Therefore, the status quo order is vacated and the authorities are directed to proceed with the action taken under the Tamil Nadu Town and Country Planning Act, 1971 to its logical conclusion as per law within a period of six months from today. It is



WEB COPY



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022



2. Aforementioned order of Hon'ble Supreme Court speaks for itself and it will suffice to write that captioned WMP is predicated primarily on paragraph 3 of the order. To be noted, prayer in the captioned WMP is for grant of further time (six months) for complying



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

with orders of this Court dated 30.092022 in W.P.No.12358 of 2022.

WEB COPY

3. Issue notice.

4. Mr.T.K.Saravanan, learned Government Advocate accepts notice for R1, R3, R5, R8 and R9, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader accepts notice for R2, R4, R6 and R7, Mr.Avinash Wadhwani, learned counsel accepts notice for R10.

5. As regards R11, Mr.T.Saravanan, learned counsel is before us on VC (Video Conferencing) platform. To be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

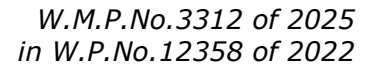
6. Considering the nature of the prayer, other facts and circumstances and also owing to captioned WMP being pursuant to aforereferred orders of Hon'ble Supreme Court, R10 to R12 (private respondents) who are whistle blowers and in the nature of informants, really do not have a say. Therefore, we took up the captioned WMP though no one accepted notice for R12.



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

WEB COPY

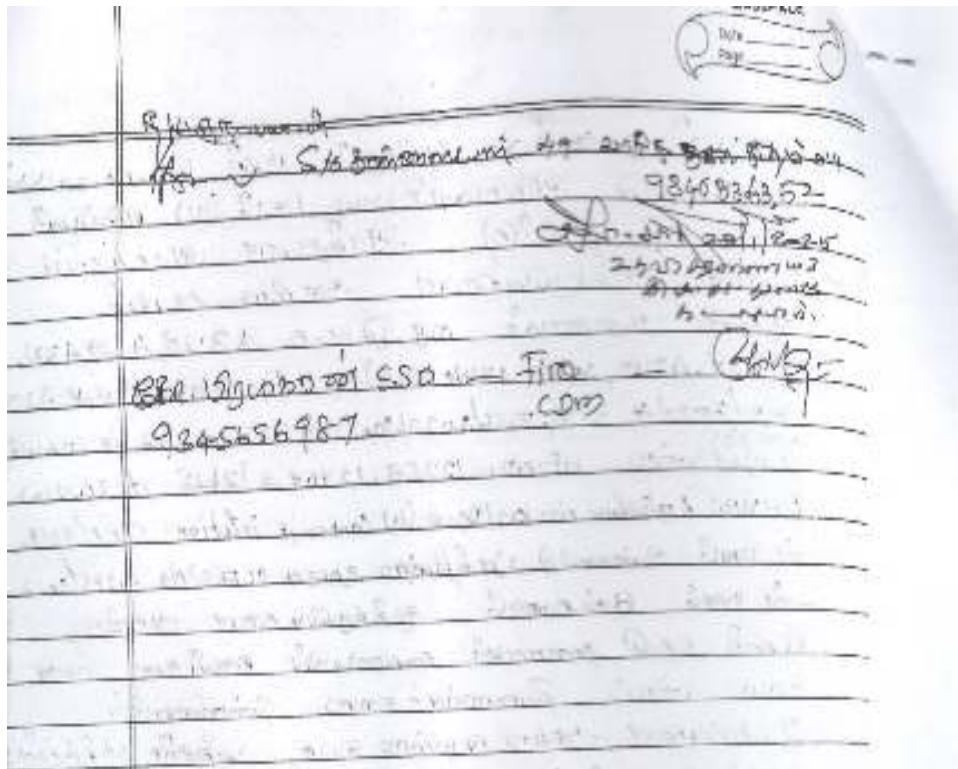
7. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for 'Tamilnadu Hindu Religious and Charitable Endowments Department' [hereinafter 'TN HR&CE Dept.' for the sake of brevity] submitted that the property belong to a Mutt under 'The Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959 (Act 22 of 1959)' [hereinafter 'TN HR & CE Act' for the sake of brevity] i.e., 'Arulmigu Gurunamashivaya Moorthi Mutt' (hereinafter 'said Mutt' for the sake of brevity). Learned State counsel went on to submit that there are nine persons against whom proceedings under Section 78 of TN HR & CE Act were initiated which culminated in aforesaid 30.09.2022 order of this Court made in W.P.No.12358 of 2022 and the other eight have given a written undertaking saying that they would vacate their respective portions/properties in the period between 13.02.2025 and 17.02.2025. In other words, 17.02.2025 is the cut-off date. Learned State counsel has placed before us the written undertaking of other persons qua Section 78 proceedings and a scanned reproduction of the same is as follows:



Page Nos.11/15



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022



8. In the light of the narrative thus far, we are reminded of the age old adage 'sauce to goose is sauce to gander too' and therefore we write that time for the writ petitioner to comply with the order of this Court dated 30.09.2022 in W.P.No.12358 of 2022 is granted till 17.02.2025. Two other points that buttress this time frame are (i) Hon'ble Supreme Court order is dated 12.12.2024 and WMP petitioner has already gained 7 weeks and (ii) learned counsel for WMP petitioner neither pointed out any provision of law for enlargement of time qua TN



W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022

HR & CE Act nor submitted that there is any entitlement in law.

WEB COPY

9. In all other respects, parties will stand governed by the aforesaid earlier order of this Court and obviously order of Hon'ble Supreme Court dated 12.12.2024 in Special Leave to Appeal (C) No.24285 of 2022.

10. Captioned WMP is disposed of in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (K.R.S.,J.)
29.01.2025

Index : Yes / No
Neutral Citation : Yes / No
mmi

To

1.The Secretary to Government,
Hindu Religious and Charitable Endowments,
Fort St. George, Secretariat,
Chennai – 600 009.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,

Page Nos.13/15



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

119, Nungambakkam,
Chennai – 600 034.

WEB COPY

- 3.The District Collector,
Cuddalore District,
Cuddalore.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Cuddalore.
- 5.The Commissioner,
Chidambaram Municipality,
Chidambaram,
Cuddalore District.
- 6.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Cuddalore.
- 7.The Fit Person,
Arulmigu Gurunamashivaya Moorthi Mutta,
Chidambaram – 608 001.
Cuddalore.
- 8.The Tahsildar,
Chidambaram Taluk,
Chidambaram,
Cuddalore District.
- 9.The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.



WEB COPY



*W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022*

**M.SUNDAR, J.,
and
K.RAJASEKAR, J.,**

mmi

**W.M.P.No.3312 of 2025
in W.P.No.12358 of 2022**

29.01.2025