



W.P.No.5172 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.5172 of 2025
and W.M.P.No.5758 of 2025

1. THANGAVEL
2. MURUGESAN
3. PRAKASH

... Petitioners

Vs

1. THE COMMISSIONER,
HINDU RELIGIOUS & CHARITABLE
ENDOWMENTS DEPARTMENT,
NO.119, UTHAMAR GANDHI SALAI,
NUNGAMBAKKAM,
CHENNAI- 600 034.
2. THE JOINT COMMISSIONER
HINDU RELIGIOUS & CHARITABLE
ENDOWMENTS DEPARTMENT,
2-F, CHINNA MUTHU VEEDHI,
NO.1, PERUNDURAI ROAD,
ERODE DISTRICT.
3. THE ASSISTANT COMMISSIONER
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT,
COLLECTOR OFFICE COMPOUND,
NAMAKKAL DISTRICT.
4. THE FIT PERSON/EXECUTIVE OFFICER,
ARULMIGU CHIDAMBA RESWARAR SIVAKAMI AMMAN THIRUKOIL,
MAMUNDI VILLAGE,
PRESENT - ONGALIAMMAN THIRUKKOIL,
TIRUCHENGODE TALUK,
NAMAKKAL DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the



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issuance of Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned eviction notice dated 20.01.2025 vide ITMS 9024 issued by the fourth respondent and quash the same as illegal and consequently direct the respondents not to evict the petitioners without due process of law from the house situated in S.No.306 at Mamundi village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.S.Siva Kumar
For R1 to R4 : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This writ petition is filed to call for the entire records relating to the eviction notice dated 20.01.2025, vide ITMS 9024, issued by the fourth respondent and to quash the same and consequently direct the respondents not to evict the petitioners without due process of law.

2. The grievance of the petitioners is that they are cultivating tenants in respect of the agricultural lands belonging to the Temple. Therefore, the petitioners have also built a house and are residing on the said property. In that view of the matter, if the petitioners have constructed houses without the permission of the Temple, certainly the temple is entitled to take further action in the manner known to law. The prayer of the petitioners itself is not to evict



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them without due process of law.

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3. When the matter came up for hearing, the learned Special Government Pleader appearing on behalf of the respondents submitted, by placing the written instructions dated 13.02.2025 that due proceedings in accordance with Sections 78 and 79 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 have been initiated and the respondents authorities will only evict the petitioners by following the due process of law.

4. If that is the case, keeping open all the defences of the petitioners to be agitated in the said proceedings, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Neutral Citation: Yes/No
nsl

To
1. THE COMMISSIONER,

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HINDU RELIGIOUS & CHARITABLE
ENDOWMENTS DEPARTMENT,
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2. THE JOINT COMMISSIONER
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NAMAKKAL DISTRICT.

D.BHARATHA CHAKRAVARTHY, J.



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