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W.P.Nos.5304 and 5307 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.5304 and 5307 of 2025
& W.M.P.Nos.5878 and 5880 of 2025

W.P.No.5304 of 2025:

U.Kuppan

.. **Petitioner**

Vs.

1.The Commissioner (Administration)
HR & CE Department
Nungambakkam, Chennai – 600 034.

2.The Joint Commissioner
HR & CE, Villupuram.

3.The Assistant Commissioner
O/o the Asst Commissioner
HR & CE, Villupuram.

4.The Hereditary Trustee
Arulmighu Adhinarayanaperumal @
Lakshminarayanaperumal Temple
Deevanur, Villupuram District.

.. **Respondents**



W.P.Nos.5304 and 5307 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order 3rd respondent dated 10.01.2025 and quash the same as illegal and consequently to direct the respondents to not evict or dispossess the petitioner from the Survey No.184/2 of Deevanur Village measuring an extent of 982 sq.feet till disposal of the R.P.No.365 of 2024 on the file of the 1st respondent and to pass such other or further order.

W.P.No.5307 of 2025:

S.Allimuthu

.. **Petitioner**

Vs.

1.The Commissioner (Administration)
HR & CE Department
Nungambakkam, Chennai – 600 034.

2.The Joint Commissioner
HR & CE, Villupuram.

3.The Assistant Commissioner
O/o the Asst Commissioner
HR & CE, Villupuram.

4.The Hereditary Trustee
Arulmighu Adhinarayanaperumal @
Lakshminarayanaperumal Temple
Deevanur, Villupuram District.

.. **Respondents**



W.P.Nos.5304 and 5307 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order 3rd respondent dated 10.01.2025 and quash the same as illegal and consequently to direct the respondents to not evict or dispossess the petitioner from the Survey No.184/2 of Deevanur Village measuring an extent of 982 sq.feet till disposal of the R.P.No.366 of 2024 on the file of the 1st respondent and to pass such other or further order.

In both the W.P's.:

For the Petitioners : Mr.D.Senthilkumar

For the Respondents : Mr.N.R.R.Arun Natarajan
Special Govt. Pleader

COMMON ORDER

These two Writ Petitions are identical and as such are taken up, disposed of by this common order.

2. The Writ Petitions challenge the impugned orders dated 10.01.2025 and to quash the same and to direct the respondents not to evict or dispossess the petitioners from Survey no.184/2, Deevanur Village, measuring an extent of 982 sq.ft, till the disposal of R.P.Nos.365 of 2024 and 366 of 2024.

3. The case of the petitioners is that they are residing in the above



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mentioned property. Both the petitioners contesting the title of the temple. The authorities have erroneously passed an order of eviction. Hence, the petitioners have already preferred revisions before the authorities along with the stay petitions. However, without passing any orders, the respondents trying to evict the petitioners.

4. When the matter came up for hearing, the learned Special Government Pleader, taking notice would submit that firstly the petitioners are contesting the title of the temple. Within six months from the date of the order that is passed by the Joint Commissioner, the petitioners have to file only a Civil Suit and the revisions itself was not maintainable. The revisions can be filed, only the petitioners plead irregularity. The property is necessary for conducting thirupani of the temple and therefore, there is urgency in this matter.

5. Be that as it may, even if the revisions are maintainable or not, when the petitioners have preferred revisions against the order of eviction, their application for stay was also not addressed. Since the main revision petitions are still pending, it is just and necessary to pass orders in the revisions before



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proceeding with the eviction of the petitioners. Already the date of hearing is fixed on 03.03.2025. The petitioners are directed to appear before the revisional authority without fail. The revision be decided expeditiously, considering the urgency involved in the matter. Therefore, till the decision is made in the R.P.Nos.365 and 366 of 2024, the eviction of the petitioners shall be awaited and depending on the final orders that may be passed in the R.P.Nos.365 and 366 of 2024, the respondents shall take further action. It is needless to mention that the petitioners shall neither build any new construction nor the existing structure can be demolished. In other words, the *status quo* in respect of the property can be preserved till the disposal of the revisions.

6. With the above directions, the Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Neutral Citation : No

17.02.2025

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D.BHARATHA CHAKRAVARTHY, J.

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