



W.P.No.5815 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.5815 of 2025

Selvaganapathy

.. Petitioner

Vs.

1. The Secretary to Government
HR1 Department, Chief Secretariat
Puducherry – 1.
2. The Commissioner
Hindu Religious Institutions Department
3rd Floor, Pondy Collectorate
Vazhadvavur Road, Puducherry.
3. The Director
Directorate of Survey and Settlement
and Land Records
Puducherry.
4. The District Collector
Karaikal, Puducherry State.
5. The Deputy Collector
(Revenue), Karaikal – 609 602
Puducherry State.



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6. Arulmigu Adhipureeswarar Swamy Devasthanam
Rep. by its Temple Administrative Officer
Easwaran Kovil Street
Keezhakasakudi – 609 609
Koottucherry Post, Karaikal District
Puducherry State.

7. Sulthan Ahamad Natchiyal
8. Asiya Ummal
9. Rabiyyathul Basiriyya
10. Sithi Farithaa Ummaal
11. Husain Ummal
12. Mohammed Ali
13. Mohammed Irfaan
14. Mohammed Sarabath Ali
15. Mohammed Iqbal Maraikyar
16. Sulthan Muhaitheen Maraikayar
17. Saithu Saalihaa Natchiyaal
18. B. Chandiran
19. HT Ansary
20. Thandone Buvaneswary
21. Shak Alavutheen
22. Shahira Baanu
23. Umma Salma @ Salmachi
24. Parveen Mumthaj
25. Ibrahimsha Maraikar
26. Sulthan Ahamad Natchiyal
27. Asiya Ummal
28. Uma Maheshwary
29. R. Kalaiyarasi
30. Vasantha
31. L. Devahi
32. Uma Maheswary
33. Balaji Ramakrishnan
34. Punitha
35. R. Seetharaman
36. Kothai Nayahi
37. Gunasekaran
38. Kalaichelvi

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 6 to remove the encroachment made by the respondents 7 to 38 in the temple land situated in No.14-Keezhakasakudy in Ward H, Block 3, T.S.Nos.2, 3, 8, 9, 10, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 29, 37 and 39 and in T.S.Nos.15 and 38 and No.14, Keezhakasakudy in Ward H, Block 7, T.S.Nos.3/1, 3/2, 4, 9, 10, 11, 12, 13 and 47 and in T.S.Nos.5/2, 6, 8/1 and 8/2.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.Ravee Kumar
Government Advocate
(Puducherry)
for R1 to R6

Mr.N.Manokaran
for R7 to R11, R13 to R16,
R28 to R30

Mr.M.Purushotham
for R18, R28, R34, R33, R19,
R31, R37 & R35

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

Encroachment of temple land is the issue raised in this
petition.



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2. Learned counsel for official respondents would submit that in compliance of the earlier order passed by this Court on 05.06.2025, survey was carried out and number of encroachments were found and that petitioner is also one of the encroachers.

3. At this stage, learned counsel for private respondents would submit that after receipt of the notice, private respondents claim to be in valid possession and have also approached this Court by filing a writ petition, wherein, the Court has issued notices and interim order has been granted on 07.07.2025.

4. We find that the allegation that no action has been taken on encroachment no longer subsists, as, proceedings have already been initiated by the concerned respondent. Moreover, private respondents have all the right to protect their possession through legal process. They have approached this Court by filing a writ petition, wherein, interim order has been granted and their possession has also been protected. Therefore, the purpose of filing



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सत्यमेव जयते this petition is served.

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5. We also noticed that the petitioner himself has been found to be an encroacher and it is one reason why, at the instance of the petitioner, public interest litigation should not be entertained. Petition is dismissed. There shall be no order as to costs.

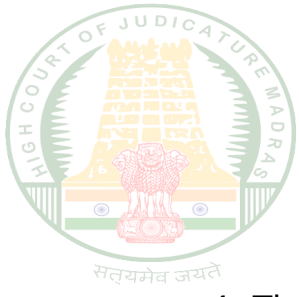
(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
05.08.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

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