



W.P.No.11333 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

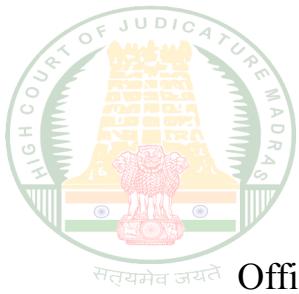
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G.Mariappan

.. Petitioner

Versus

1. The District Collector,
Dharmapuri Collectorate Office,
Dharmapuri.
2. The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
3. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai district.
4. The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,



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Office at Kottai Mariamman Thirukoil,
Salem district.

5. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Dharmapuri district.
6. The Tahsildar,
Palacode Taluk,
Dharmapuri district.
7. The Inspector,
Hindu Religious and Charitable Endowment
Department,
Office at Alulmigu Draupathi Amman,
Palacode,
Dharmapuri district.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondent Nos.3 to 7 to issue fresh lease in public auction to the temple lands measuring to an extent of 32.5 acres in S.Nos.61/1, 140/3, 49, 58/1 and 140/2 situated at Chikkardanahalli, Dandukaranahalli, Palacode taluk, Dharmapuri district, belonging to Alulmigu Karaka Chelliamman Thirukkivil by considering petitioner representation, dated 24.02.2025.

For Petitioner : Mr.C.Ramaraj



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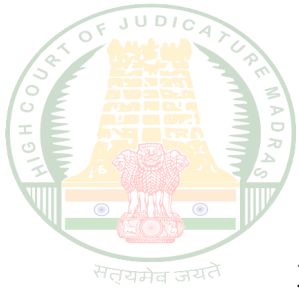
For Respondents : Mr.R.Murthi,
Government Advocate,
for RR-1, 2 and 6

: Mr.S.Ravichandran,
Additional Government Pleader
(HR & CE),
for RR-3 to 5

ORDER

This Writ Petition is filed directing the respondent Nos.3 to 7 to issue public auction notice for auctioning the lands belonging to Arulmigu Karaka Chelliammman Thriukkivil, Chikkardanahalli, Dandukaranahalli, Palacode Taluk, Dharmapuri district measuring an extent of 32.5 acres.

2. The grievance of the petitioner is that originally, the lands of the temple were in encroachment. The authorities have initiated action and the lands have been retrieved. Even after retrieval of the lands, no steps were taken to auction the land.



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3. The learned Additional Government Pleader (HR & CE) for the respondent Nos.3 to 5, on instructions, would submit that earlier, for the same relief, a Writ Petition was filed in W.P.No.26856 of 2023 and this Court, by the order, dated 13.09.2023, directed the authorities to consider the representation and pass orders. Accordingly, an order was passed on 26.06.2024. It is stated in the said order that it is true that part of the lands have already been retrieved and some more lands have to be retrieved. Since there is dispute between two caste people regarding the auctioning of the lands, the authorities decided to wait in view of the law and order situation. Once the retrieval of the rest of properties is also made, thereafter, the exercise will be undertaken.

4. The learned Counsel for the petitioner would submit that subsequently, all the properties have now been retrieved.

5. Be that as it may, even if any portion of the property is yet to be



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retrieved, the steps can be continued and the temple can take possession from the encroachers. But, that will not deter the temple from leasing out the lands. Admittedly, the lands are cultivable lands. They are not used for any temple purposes, but, to augment income to the temple. Admittedly, the same has to be leased out for cultivation. The respondent authorities are the authorities of the state and they will never succumb to groupism, especially, if two groups are going to play in the name of caste. Very strong action has to be taken against the individuals if any person, who creates any form of ruckus in the name of caste. The same has to be crushed with iron hands. If there is any problem during the auction or subsequently, the person who bids the major amount from taking the possession and cultivating the property, that too in the name of caste, the Superintendent of Police, Dharmapuri district shall immediately act on the complaint that will be forwarded by the respondent authorities and action will be taken as against the persons who are carrying this unwanted burden called 'caste' and are creating social unrest and law and order problems.



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6. The lands belonging to the diety has to be put into proper use, especially, for cultivation. Food is the very basic need of humankind and a cultivable land can never be allowed to lay barren only due to the unwanted weed called 'caste'. Therefore, the authorities shall take immediate steps to auction the properties by way of public auction and if there is any ruckus or problem, the authorities shall also forward a complaint to the Superintendent of Police, Dharmapuri district, who shall take strong action against miscreants in accordance with law and the lands shall be given on lease after due approval by the Commissioner after taking into account the lease rent etc., in accordance with the rules. The said exercise shall be carried out within a period of four weeks from the date of receipt/production of a web-copy of this order without waiting for a certified copy of this order.

7. This Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.



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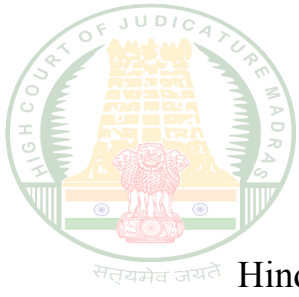
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Neutral Citation : no
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To

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Dharmapuri.
2. The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
3. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
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4. The Joint Commissioner,
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Office at Kottai Mariamman Thirukoil,
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5. The Assistant Commissioner,



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6. The Tahsildar,
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D.BHARATHA CHAKRAVARTHY, J.

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