



W.A.No.2244 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2025

CORAM:

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.2244 of 2025
and C.M.P.No.17205 of 2025

R.Balasubramanian

.. Appellant

VS.

1.The Commissioner,
Land Administration,
2nd Floor, Ezhilagam,
Chetpet, Chennai-600 005.

2.The Commissioner,
The Commissionerate of Land Reforms,
Ezhilagam, Chetpet,
Chennai-600 005.

3.Authorized Officer / The Revenue Divisional Officer,
Nagapattinam.

4.The Revenue Divisional Officer,
Mayiladudhurai.

5.The Tahsildar,
Mayiladudhurai.

6.The Police Inspector,
Land Grabbing Cell,
District Police Office.
Nagapattinam



W.A.No.2244 of 2025

7. Diocese of Tanjore Society,
Represented by its President,
Ayar Illam, Trichy Road,
Thanjavur Town

.. Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 26.09.2024 made in W.P.No.11038 of 2020.

For Appellant : Mr.G.Mutharasan
for M/s.R.Rajesh Vivekananthan

For Respondents : Mr.Vadivel Deenadayalan,
Additional Government Pleader

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JUDGMENT

(Judgment of the Court was delivered by ***J.NISHA BANU, J.***)

This writ appeal is preferred as against the order of the Writ Court dated 26.09.2024 made in W.P.No.11038 of 2020.

2. The writ petitioner is the appellant herein. The facts of the case would disclose that the appellant/writ petitioner, claiming to be a worshiper of a temple called "Sivan Temple", submitted a representation alleging that the 7th respondent threatening the general public who are coming to the said temple for worship. According to the appellant, the land which the 7th



W.A.No.2244 of 2025

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respondent is in possession and enjoyment belongs to Sivan Temple and therefore, based on the complaint lodged by the petitioner as well as the 7th respondent, proceedings under Section 145 Cr.P.C has been initiated by the 4th respondent in R.C.No.2360/2020/B1 and since no order has been passed thereafter, the petitioner was constrained to file the aforesaid writ petition. The Writ Court, after hearing the submissions made, disposed of the writ petition by directing the respondent to proceed with the enquiry under Section 145 Cr.P.C and complete the same within a stipulated time after affording opportunity to the parties. Being aggrieved by the said order, the appellant / writ petitioner is before this Court with the instant writ appeal.

3. The learned counsel for the appellant would contend that the 7th respondent allegedly claim title over the temple property which was purchased through a registered sale deed and the persons from whom the 7th respondent alleged to have purchased have no title and since the above land is an agricultural land, the purchase of the same by the 7th respondent, being a religious institution / Public Trust is *void ab initio*. The learned counsel for the appellant would further contend that the 4th respondent is attempting to stop the puja of the temple by misusing his powers and in order to protect the



W.A.No.2244 of 2025

interest of the Sivan Temple, the appellant filed the aforesaid writ petition, however the Writ Court has failed to consider these aspects and therefore, prays for interference.

4. Heard the learned Additional Government Pleader for the respondents and also perused the materials on record.

5. The facts are not in dispute. It is also an admitted fact that Section 145 Cr.P.C proceedings has culminated on the file of the 4th respondent, based on the complaint lodged by the petitioner as well as the 7th respondent as against the miscreants. The appellant also alleges misuse of powers by the 4th respondent in performing the puja in the temple. The Writ Court, taking into consideration all these aspects, has rightly ordered for timely completion of enquiry proceedings under Section 145 Cr.P.C, that too after affording reasonable opportunity of personal hearing to the appellant as well as rival claimants. In the considered opinion of this Court, there is no infirmity in the impugned order passed by the learned Single Judge. The present writ appeal lacks merit and deserves dismissal.



W.A.No.2244 of 2025

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6. Accordingly, the Writ Appeal stands dismissed. No costs.
consequently connected miscellaneous petition is also dismissed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
22-07-2055

ASI

To

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5. The Tahsildar,
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