



W.P.No.15187 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15187 of 2025

M.Thirupathi
S/o Muthusamy,
No.10/25, Katchupali Kaspas,
Mallikundham Post, Mecheri,
Katchupalli, Edappadi,
Salem District 637 102.

... Petitioner

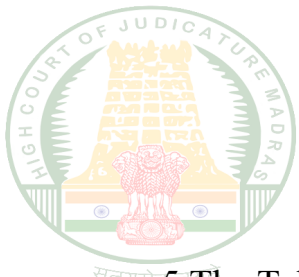
/versus/

1.The Principal Secretary,
Tourism, Culture and Religious Endowments Department,
Government of Tamil Nadu,
Secretariat, Fort St.George, Chennai 600 008.

2.The District Collector,
District Collectorate Office,
Fort Main Road, Salem 636 001.

3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Nungambakkam, Chennai 600 034.

4.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Kottaimari Amman Temple Campus,
Near Old Bus stand,
Salem 636 001.



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5. The Tahsildar,
Taluk Office,
Mettur, Salem 636 001.

6. The Assistant Director of Town Panchayats,
District Collector Office,
Salem 636 001.

7. The Fit person/Assistant Commissioner Officer,
A/m Badharakaliamman Temple, Mecheri,
Having office at A/m Narasimhaswamy Temple Campus,
Namakkal District 637 001.

8. The Executive Officer,
A/m Badharakaliamman Temple,
Mecheri, Salem District 636 453.

9. The Executive Officer,
Town Panchayat Office,
Mecheri, Salem District 636 453.

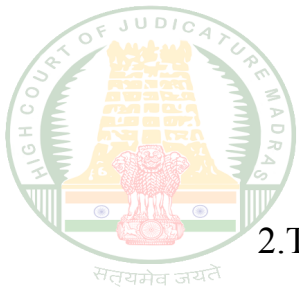
.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 7 to dispose petitioner's representation dated 27.12.2024 and conduct enquiry and to take propr and appropriate action against the unlawful occupiers and the officials who aided, abetted and acquiesced the unlawful occupiers.

For Petitioner : Mr.E.Srikanth
For Respondents : Mr.S.Balamurugan, G.A. For R2 and R5
Mr.K.Karthikeyan,
GA for R1, R3, R4, R7 and R8
Mr.R.Neethiperumal, GA for R9

ORDER

The writ petition is filed to direct the respondents 1 to 7 to dispose of the petitioner's representation dated 27.12.2024.

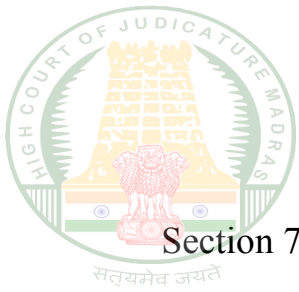


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2.The grievance of the petitioner is that there is a Therodum Veethi in the village namely, Mecheri Village, Mettur Taluk. Originally, the said place is comprised in certain survey numbers, which are not belonging to the local body. According to the petitioner, it belongs to temple. The temple has left the premises open for the purpose of running of the chariot. Subsequently, so many private individuals, who own the adjacent properties, have encroached front portions and the width, which was originally to an extent of 60 feet, now come to a limited extent of 20 feet. Already, a Division Bench of this Court had entertained the public interest litigation petition and directed removal of encroachment in W.P.No.2791 of 2015, by an order dated 17.03.2015. Even though some action was taken at that point of time, now again encroachments have come up. The petitioner is a devotee of the temple and he is an interested person and therefore, he has filed this writ petition and not filing any public interest litigation petition.

3. When the matter came up for hearing, the learned Government Advocate appearing for the HR and CE Department, would submit that already the temple authorities have requested for reclassifying certain survey numbers as temple lands. Once the revenue records are mutated in the name of the temple, and if there are any encroaches on the said lands, due action will be taken under



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Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act,

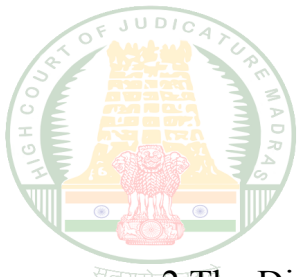
1959, after the mutation of the revenue records in the name of the temple.

4. Recording the same and also further directing the Joint Commissioner to dispose of the petitioner's representation dated 27.12.2024 by issuing notice to the petitioner as well as the encroachers, who are found in the temple lands, this writ petition is disposed of. The above said exercise shall be carried on within a period of 12 weeks from the date of receipt a copy of the order. The revenue authorities shall consider the request made by the temple administration and determine whether the land in question belongs to the temple and if the land is found to belong to the temple, the revenue authorities shall pass an order in accordance with law. No costs.

28.04.2025

Neutral citation:no
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To
1.The Principal Secretary,
Tourism, Culture and Religious Endowments Department,
Government of Tamil Nadu,
Secretariat, Fort St.George, Chennai 600 008.



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2.The District Collector,
District Collectorate Office,
Fort Main Road, Salem 636 001.

3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Nungambakkam, Chennai 600 034.

4.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
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Near Old Bus stand,
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5.The Tahsildar,
Taluk Office,
Mettur, Salem 636 001.

6.The Assistant Director of Town Panchayats,
District Collectorate Office,
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7.The Fit person/Assistant Commissioner Officer,
A/m Badharakaliamman Temple, Mecheri,
Having office at A/m Narasimhaswamy Temple Campus,
Namakkal District 637 001.

8.The Executive Officer,
A/m Badharakaliamman Temple,
Mecheri, Salem District 636 453.

9.The Executive Officer,
Town Panchayat Office,
Mecheri, Salem District 636 453.

10.The Government Advocate, High Court, Madras.



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The matter is listed under the caption “for being mentioned”.

2. The date of the order in W.P.No. 15187 of 2025 has been wrongly mentioned as 24.04.2025 on the first page, instead of the correct date “**28.04.2025**”.

3. In view of the above, the Registry is directed to issue a fresh order copy after making the necessary correction.

24.06.2025

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