



Writ Petition No.21522 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17.06.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21522 of 2025

and

W.M.P.No.24293 of 2025

1. Mageshwari
W/o.Ethiraj

2. Kamalanathan
S/o.Rajappa

3. Ravi
S/o.Kesavan

4. Raman
S/o.Kesavanaidu

Petitioners

Vs

1.The Secretary,
Tourism, Culture and Religious
Endowments Department, Secretariat,
Ft.St.George, Chennai-600 009.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Uttamar Gandhi Salai, Nungambakkam,
Chennai-34.



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3.The Joint Commissioner,
Office of the Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Krishnagiri.

4.The Assistant Commissioner,
Office of The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department, Krishnagiri.

5.The Executive Officer,
Arulmigu Prasanna Parvathi
Chandramouliswarer Thirukoil,
Krishnagiri District-635 001.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the respondents 2 to 5 from taking any action against the petitioners' property in S.Nos.58, 59 and 63 in Ward-D, Block 19 in Krishnagiri Nagar, Pudupettai, Krishnagiri Division, Krishnagiri District, till the disposal of the Revision Petitions filed by the petitioners before the first respondent on 03.06.2025 and dispose of the same in accordance with law.

For Petitioners : Mr.S.V.Vijayprashanth

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus forbearing the respondents 2 to 5 from taking action against the petitioners and from evicting the petitioners from the subject property during the pendency of the revision petitions before the first respondent.

2. Heard Mr.S.V.Vijayprashanth, learned counsel for petitioners and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for respondents.

3. Proceedings were initiated against the petitioners under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959 and an order was passed by the Joint Commissioner and the same was put to challenge before the second respondent in R.P.Nos.529 to 537 of 2024 and the second respondent, by order dated 20.05.2025, dismissed the revision petitions. Aggrieved by the same, further revision has been filed before the Secretary to Government of Tamil Nadu under Section 114 of the Hindu Religious and Charitable Endowment Act, 1959. While the same is pending, proceedings are being initiated to evict the petitioners. It is under these circumstances, the present writ petition came to be filed before this Court.



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4. Learned counsel for the petitioners submitted that the revision petitions filed before the first respondent have already been numbered and even before the first respondent could hear the stay petition, steps are being taken by respondents 2 to 5 to evict the petitioners.

5. Learned Special Government Pleader appearing on behalf of respondents submitted that the very revision petition filed before the first respondent is unsustainable since the petitioners are claiming title over the property for which they can only file a suit.

6. It is unnecessary for this Court to go into the issue regarding the maintainability of the revision petition filed before the first respondent. This writ petition has been filed only as a temporary measure to ensure that petitioners are not evicted during the pendency of the revision petition before the first respondent. As was observed supra, the stay petition is also pending before the first respondent.

7. In view of the above, there shall be a direction to the first respondent to deal with the stay petition filed by the petitioners after



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affording opportunity to the Hindu Religious and Charitable Endowment Department and pass orders within a period of ten (10) days from the date of receipt of a copy of this order. Till orders are passed by the first respondent in the stay petition, the Hindu Religious and Charitable Endowment Department shall keep the further proceedings in abeyance.

This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

17.06.2025

Note: Issue order copy by 18.06.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm



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N.ANAND VENKATESH, J

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To

1.The Secretary,
Tourism, Culture and Religious Endowments
Department, Secretariat, Ft.St.George,
Chennai-600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowment
Department, Uttamar Gandhi Salai,
Nungambakkam, Chennai-34.

3.The Joint Commissioner,
Office of the Joint Commissioner,
Hindu Religious and Charitable Endowment
Department, Krishanagiri.

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