



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 23509 of 2025

A.Radhakrishnan

Petitioner(s)

Vs

1.The Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2.The Secretary to Government
Tourism Culture and Endowments
Department, Secretariat, Chennai - 600
009.

3.The Commissioner of Revenue
Administration
Chepauk, Chennai 600 005.

4.The Commissioner of Land
Administration
Chepauk, Chennai 600 005.

5.The Archaeological Commissioner



Archaeological Department, Egmore,
Chennai - 600 008.

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

7.The District Executive Magistrate
District Collector, Dharmapuri.

8.The Additional District Magistrate
District Revenue Officer, Dharmapuri.

9.The Sub Divisional Executive District
Magistrate/
Revenue Divisional Officer, Harur.

10.The Taluk Executive Magistrate
Tahsildar, Pappireddipatty,
Dharmapuri District.

11.The Special Tahsildar
Temple Lands, Dharmapuri.

12.The Superintendent of Police
Dharmapuri.

13.The Joint Commissioner
Hindu Religious and Charitable
Endowments Department,
Salem - 636 001



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14.The Regional Audit Officer,
Hindu Religious and Charitable
Endowments Department, Salem.

15.The Executive Engineer,
Hindu Religious and Charitable
Endowments Department, Salem.

16.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Dharmapuri.

17.The Trustee,
Arulmigu Kalyanaramar and
Nanjundeswarar Temple Groups,
Thenkaraikottai, Pappireddipatty,
Dharmapuri District.

18.The Executive Officer,
Arulmigu Kalyanaramar and
Nanjundeswarar Temple Groups,
Thenkaraikottai, Pappireddipatty,
Dharmapuri District.

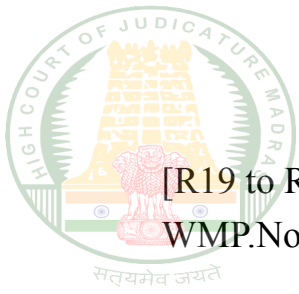
19.Nasar Mohamed Kasim

20.Shagul Ameeth Kadharsherif

21.Thameejohn Rahamadhulla

22. Kamal Basha Ahamad Basha

Respondent(s)



[R19 to R22 are impleaded as per order dated 31.07.2025 made in WMP.Nos32225, 32249, 32252 & 32253/2025 in WP.No.23509/2025]

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PRAYER

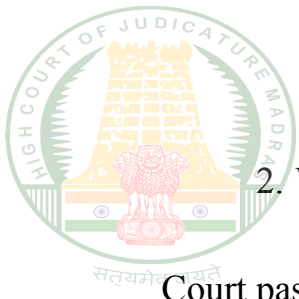
directing the respondents 3 to 14 to secure and safeguard the 18th respondent temple's properties and its administration by considering petitioner representations dated 08.03.2016, 28.03.2025 and 22.06.2025.

For Petitioner(s): Mr.A.Radhakrishnan
(Petitioner - In - Person)

For Respondent(s): Mr.T.M.Rajangam, GA
For R1, R3 to R5, R7 to R11
Mr.V.Meganathan,
GA (Crl. Side) For R12
Mr.K.Karthikeyan, GA
For R2, R6, R13 to R18
Mr.K.F.Manavalan
For R19 to R22

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents 3 to 14 to secure and safeguard the property belonging to the 18th respondent/Temple and also to take over the administration of the Temple by considering the representations made by the petitioner.



2. When the above writ petition came up for hearing on 30.06.2025, this

Court passed the following orders:

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“Mr.K.Karthikeyan, learned Government Advocate takes notice on behalf of R2, R6, R13 to 18. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for RR 1, 3 to 5 and 7 to 11.

2. It is brought to the notice of this Court that the District Collector has already called for the meeting on 05.07.2025. Hence, the learned Government Advocate who has taken notice on behalf of the HR & CE Department shall take instructions and file a status report before this Court. Based on the same, final orders can be passed in this writ petition.

3. Post this writ petition at the end of the motion list on 17.07.2025.”

3. The matter was listed for hearing on 17.07.2025 and on that day, the 18th respondent filed a status report. In this status report, the 18th respondent has explained the location of the Temple and the steps taken to maintain the Temple.

Apart from that, the relevant portion in the status report is extracted hereunder:



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“6. It is submitted that an application dated 27/07/2020 has been sent to the District Revenue Officer, Dharmapuri to grant patta for the lands in S.No.340/1 in the name of the temple in order to safeguard the properties of the temple and its possessory and the same is pending. It is submitted that the usufruct rights of the tamarind trees in S.No.340/1 for the fasli 1433 was let out through public auction by the temple. Since there was no yield in fasli 1434, the auction was not conducted and steps are being to taken to let out the usufruct rights of the yielding trees for the present fasli 1435.

7. It is submitted that the Fort has been built during the 15th Century Nayyakar rulers and the temples have been inspected by the Archaeological consultant and based on the report dated 28.04.2022, the repair works are to be carried out. The repair and renovation works of the temple has been proclaimed already in the Tamil Nadu Assembly Announcement 2023-2024 announcement no.134, and an estimate of Rs.3.58 lakhs for repair works and stone flooring has been approved by the Commissioner HRCE



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Department. It is submitted since the temple is financially deficit, the renovation works are to be carried out by the Commissioner Common Good Fund and the tenders have been invited on 15.07.2025. It is submitted that after obtaining tender approval the renovation works are to be started. Additionally, painting works estimated for Rs.1.80 lakhs are being carried out through a donor and the works have already started after proper approval. It is submitted that after completion of the renovation works, the consecration of the temple is tentatively scheduled on 07.09.2025.

8. It is submitted that the temple car is completely dilapidated and cannot be restored as of now. The temple has no ample funds to build a new car now and so after the completion of consecration, steps will be taken to request donor funds to build a new car to the temple.

9. It is submitted that District Collector, Dharmapuri along with Revenue Divisional Officer has inspected the temple and lands on 02.07.2025 and the lands in S.No.340/1 has been surveyed by revenue



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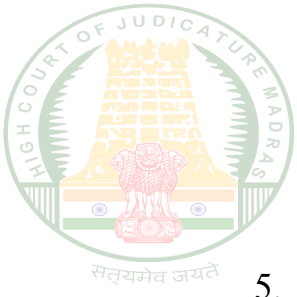


officials on 03.07.2025. It is submitted that there are 76 residential occupations and 32 commercial occupations outside the Fort campus. Since the S.No.340/1 is classified as Arasu poramboke, the encroachments cannot be evicted under the provisions of sec. 78 of the THRCE Act 22/1959:”

4. On carefully going through the above status report this Court passed the following order on 17.02.2025:

“When the matter was taken up for hearing today, the status report of the 18 th respondent was filed before this Court and a copy of the same was also served on the petitioner, who appeared in person. On going through the same, it is seen that the eviction proceedings has to be initiated only on the side of the revenue authorities. The petitioner who appeared in person submitted that the officials made an inspection this week and hence, this Court can await for the report.

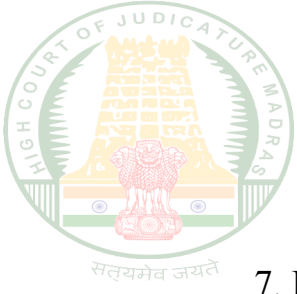
2. Post this writ petition under the caption for orders on 31.07.2025.”



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5. When the writ petition was taken up for hearing, the report of the Revenue Divisional Officer (RDO), Harur dated 14.07.2025 submitted to the District Collector, Dharmapuri, was placed before this Court. This Court carefully went through the said report. In the meantime, impleading petitions have been filed on the ground that the proposed respondents have nothing to do with the temple property, but, however, in the guise of eviction, they should not be disturbed and such clarification is required.

6. In the considered view of this Court, a report has now been submitted by the Revenue Divisional Officer (RDO), Harur to the District Collector. Hence, there shall be a direction to the District Collector to act upon the same and take necessary action required in coordination with the Hindu Religious and Endowments Department. It shall be ensured that the temple and its properties are properly secured, managed and administered. This process shall be completed within a period of three (3) months from the date of receipt of a copy of this order.



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7. In result, this Writ Petition is disposed of in the above terms. No costs.

31-07-2025

(2/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Jeni

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