



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

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CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUNDAR

W.P.No.23920 of 2025 and W.M.P.No.26933 of 2025

Arulmigu Srinivasa Perumal Thirukoil
represented by its Arangavalar

R. Gajendran

S/o Rangasamy

aged about 62 years

having office at

Arinjar Anna Street

Aranvoyal Village

Thriuvallur Taluk,

Thiruvallur District

Petitioner

vs.

1. The District Collector
Office of the District Collector
Thiruvallur
Thiruvallur District 602 025
2. The Revenue Divisional Officer
Office of the RDO
Thiruvallur
Thiruvallur District 602 025
3. The Tahsildar
Office of the Thiruvallur Tahsildar
Thiruvallur
Thiruvallur District 602 025



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4. The Block Development Officer (Village Panchayat)
Office of the BDO of Thiruvallur
Ekadu
Thiruvallur District 602 025
5. The Village Administrative Officer
Office of the VAO
Aranvoyal Village
Thiruvallur Taluk
Thiruvallur District 602 025
6. The Panchayat President
Aranvoyal Village Panchayat Office
Aranvoyal Village
Thiruvallur Taluk
Thiruvallur District 602 025
7. The Assistant Commissioner
The Hindu Religious & Charitable Endowment Board
Thiruvallur Taluk
Thiruvallur District 602 025

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents 1 to 6 from demolishing Arulmigu Srinivasa Perumal Thirukoil in Survey No.433/17, Aranvoyal Village, Thiruvallur Taluk, Thiruvallur District, without due process of law.

For petitioner	Mr. R. Lakshmi Narasimhan
For RR 1-3 & 5	Mr. M.S. Arasakumar Government Advocate
For RR 4 & 6	Mr. T.K. Saravanan Addl. Govt. Pleader
For R7	Mr. K. Karthikeyan Government Advocate (HR & CE)



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ORDER

(made by HEMANT CHANDANGOUDAR, J.)

The petitioner, claiming to be one of the Trustees of Arulmighu Srinivasa Perumal Thirukovil, has approached this Court seeking issuance of a Writ of Mandamus, forbearing respondents 1 to 6 from proceeding to demolish the said temple, purportedly situated in Survey No. 433/17, Aranvoyal Village, Thiruvallur Taluk, Thiruvallur District, without adherence to due process of law.

2. According to the petitioner, the subject temple is an ancient structure established nearly 80 years ago and is revered by the local community. It is alleged that respondents 1 to 6 are attempting to demolish the temple on the pretext of implementing the directions issued by a Division Bench of this Court in order dated 31.10.2023, in W.P. No. 30675 of 2023, which pertains to alleged encroachments in Survey No. 285/62, not Survey No. 433/17.

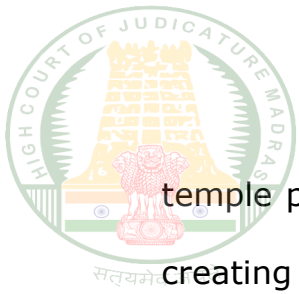
3. Issue notice to the respondents.



4. Mr. M.S. Arasakumar, learned Government Advocate, accepts notice for respondents 1 to 3 and 5; Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for respondents 4 and 6; and Mr. K. Karthikeyan, learned Government Advocate (HR & CE), accepts notice for the seventh respondent.

5. Mr. T.K. Saravanan, learned Additional Government Pleader, upon instructions, submits that Survey No. 433/17 does not exist, and that the temple in question is in fact located in Survey No. 285/62, where proceedings for removal of encroachments are currently underway. He submits that notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, have been served on three individuals, namely Parimala, R. Dasarathan, and R. Sigamani, who are alleged to be in possession and control of the temple premises. He further refers to proceedings dated 23.02.2024, issued by the Revenue Divisional Officer, Thiruvallur (second respondent herein), convening a Peace Committee Meeting to address a dispute between two groups over the issue of encroachment and demolition.

6. Mr. K. Karthikeyan, learned Government Advocate (HR & CE), on instructions, submits that according to the Integrated Temple Management System (ITMS) database maintained by the HR & CE Department, the



temple property is reflected as being located in Survey No. 433/17, thereby creating a factual discrepancy between the records maintained by the Revenue Department and the HR & CE Department.

7. In light of the conflicting claims regarding the exact survey number in which the temple is located—whether Survey No. 433/17 as claimed by the petitioner and recorded in the HR & CE database, or Survey No. 285/62 as asserted by the Revenue Department—this Court is of the view that a factual determination through a competent authority is warranted in order to ascertain the precise location of the temple.

- i) The third respondent (Tahsildar), in the presence of the petitioner, other Trustees of the temple, seventh respondent temple and others who are claiming right over the temple management, shall conduct an inspection/survey of the temple and find out as to whether there is encroachment either in Survey No.433/17 or Survey No.285/62 and draw up a report within a period of six weeks from today, *i.e.*, on or before 13.08.2025;
- ii) If the report reveals that there is encroachment on the Government land, the Revenue officials shall initiate action



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under the Tamil Nadu Land Encroachment Act, 1905 or any other applicable/appropriate statute, within a period of six weeks therefrom *i.e.*, on or before 24.09.2025;

- iii) The notices issued under Section 7 of the Tamil Nadu Land Encroachment Act to the trio indicated above, shall be subject to the outcome of the inspection/survey to be conducted as above;
- iv) Any coercive action in relation to removal of alleged encroachment will be subject to the outcome of the inspection/survey to be conducted as above.

8. This writ petition stands disposed of in the aforesaid manner. Consequently, connected W.M.P. stands closed. There shall be no order as to costs.

(M.S., J.) (H.C., J.)

02.07.2025

cad

Index : Yes/No

NC : Yes/No

To

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Thiruvallur, Thiruvallur District 602 025

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M. SUNDAR, J.
and
HEMANT CHANDANGOUDAR, J.
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