



W.P. No. 34850 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.P No. 34850 of 2025

AND

WMP.No. 39034 of 2025

Arul

.. Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Cuddalore District, Tamil Nadu.

2.The District Revenue Officer,
Cuddalore District, Tamil Nadu.

3.The Revenue Divisional Officer,
Cuddalore District, Tamil Nadu.

4.The Tahsildar (Revenue)
Kurinjipadi Taluk,
Cuddalore District, Tamil Nadu.



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5.The Executive Engineer,
Operation and Maintenance, TANGEDCO
Kurinjpadi,
Cuddalore District, Tamil Nadu.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of mandamus, forbearing the respondents 1 to 5, in any manner interfering with the peaceful possession and enjoyment of the temple land comprised in Survey Nos. 176/1 and 176/2 at Karunguzhi Village, Kurinjipadi Taluk, Cuddalore District, belonging to Arulmigu Shri Angala Parameshwari Amman Temple, including making any attempt to enter upon, encroach upon, alter or alienate the said land or to hand over possession thereof to the Tamil Nadu Electricity Board or to carry out any construction or other activity for establishment of a power substation, and pass such other order.

For Petitioner: Mr.P.R.Thiruneelakandan

For Respondents : Ms.M.Jayanthi, AGP – R1 to R4

Mr.V.Venkataseshaiya - R5



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ORDER

(Made by ***HEMANT CHANDANGOUDAR, J.***)

The captioned writ petition has been filed seeking issuance of a writ of mandamus, forbearing the respondents 1 to 5 from in any manner interfering with the peaceful possession and enjoyment of the lands comprised in Survey Nos. 176/1 and 176/2 situated at Karunguzhi Village, Kurinjipadi Taluk, Cuddalore District, stated to belong to Arulmigu Shri Angala Parameshwari Amman Temple.

2. Mr. P.R. Thiruneelakandan, Learned counsel for the petitioner, submitted that the petitioner is the hereditary trustee of the aforesaid temple and that the respondents, without any authority of law, are attempting to interfere with the peaceful possession and enjoyment of the said temple lands.

3. Per contra, Ms. M. Jayanthi, learned Additional Government Pleader appearing for the respondents, submitted that the revenue records reveal that the land in Survey No. 176/1 has been classified as Government Poromboke



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land and that the said temple is situated within that extent. It was further submitted that the land in Survey No. 176/2 has also been classified as Government Poromboke land and there exists Nandhavanam (garden).

4. Upon perusal of the revenue records produced, it is evident that both the lands in Survey Nos. 176/1 and 176/2 stand classified as Government Poromboke lands. It is also seen that the temple exists on the land in Survey No. 176/1 and a garden (Nandhavanam) exists on the land in Survey No. 176/2. Therefore, the contention of the petitioner that both the lands are temple properties and that the respondents have no authority to deal with them is devoid of any merit.

5. Even otherwise, the materials placed on record disclose that the respondents have initiated proceedings under the provisions of the Tamil Nadu Land Encroachment Act, 1905, by issuance of a notice under Section 7 of the said Act, proposing to remove the alleged encroachment in Survey No. 176/2. The said notice was issued on 16.11.2023, and the petitioner claims to have submitted a reply on 04.12.2023.



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6. The petitioner, in the opinion of this Court, has no locus standi to question the proposed action of the revenue authorities in respect of Survey No. 176/2, which is classified as Government Poromboke land and has been proposed to be handed over to TANGEDCO for the establishment of an electric sub-station. However, if the authorities are of the view that there exists any encroachment in Survey No. 176/2, they are bound to proceed strictly in accordance with law and follow the due process prescribed under the provisions of the Land Encroachment Act, 1905.

7. In light of the above observations, the writ petition stands disposed of with the following directions:

- (i) The 4th respondent shall consider the reply/ representation dated 04.12.2023 submitted by the petitioner and pass appropriate orders on merits and in accordance with law. If, upon such consideration, the 4th respondent forms an opinion that encroachment exists in Survey No. 176/2, he shall proceed to pass appropriate orders under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, and thereafter take consequential action in accordance with law.



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(ii). The aforesaid exercise shall be completed within a period of four (4) weeks from the date of uploading of this order on the official website of this Court. Until such time, the respondents shall not take any coercive action for removal of the alleged encroachment in Survey No. 176/2.

(iii). Consequently, the connected miscellaneous petition stands closed.

There shall be no order as to costs.

(R.S.K. J.,) (H.C. J.,)

07.10.2025

Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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