



WEB COPY



W.P.No.35236 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

W.P.No.35236 of 2025

C.Ramar

... Petitioner

-Vs-

1. The Commissioner,
Hindu Religious & Charitable Endowments Department,
Tiruvallur District.
2. The District Collector,
Cuddalore District.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Cuddalore District.
4. The Deputy Commissioner,
Hindu Religious & Charitable Endowments Department,
Cuddalore District.
5. The Tahsildar,
Tittakudi Taluk,
Cuddalore District.
6. The Executive Officer,
Angalamman Koil,
Porakudi Revenue Village,
Cuddalore District.
7. Thangadurai

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 6 to take action on the petitioner's representation dated 26.07.2025 by conducting proper inspection, measurement and enquiry, and consequently remove the encroachment / obstruction made in Survey No.259, belong to the Hindu Religious & Charitable Endowments (HR&CE) Department and in Survey Nos.264, 265, 271, 272, 274 & 299/2 which is classified as common pathway in Porakudi Revenue Village, Tittakudi Taluk, Cuddalore District within a time frame fixed by this Court.

For Petitioner : Ms.T.Dharani
For Respondents : Mr.NRR.Arun Natarajan
Spl. Govt Pleader for R1, R3, R4 & R6
Ms.M.Jayanthi
Addl. Govt. Pleader for R2 & R5

O R D E R

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The prayer sought for herein is for a writ of mandamus to direct the respondents 1 to 6 to take action on the petitioner's representation dated 26.07.2025 by conducting proper inspection, measurement and enquiry, and consequently remove the encroachment / obstruction made in Survey Nos.259, belong to the Hindu Religious & Charitable Endowments (HR&CE) Department and in Survey Nos.264, 265, 271, 272, 274 & 299/2 which is classified as common pathway in Porakudi Revenue Village, Tittakudi Taluk, Cuddalore District.



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2. Heard Ms.T.Dharani, learned counsel appearing for the petitioner, Mr.NRR.Arun Natarajan, learned Special Government Pleader appearing for the respondents 1, 3, 4 & 6 and Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents 2 & 5. In view of the order that is going to be passed in the writ petition, notice to the seventh respondent is dispensed with.

3. In respect of Survey No.259/1 at Korakkavadi Village, Tittakudi Taluk, Cuddalore District, it is the contention of the petitioner that, the land belongs to the sixth respondent Temple which is under the control of HR&CE Department which is being used as a pathway by the village people for several years. When that being so, the seventh respondent is trying to encroach upon the property by putting up hut and by thus, the ingress and egress of the village people through the said pathway located in the said survey number is hindered and in order to remove such encroachment of the seventh respondent, the petitioner has given a representation on 26.07.2025 to the official respondents herein and having not evoked any response from them, the petitioner has approached this Court by filing the present writ petition.



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4. Mr.NRR.Arun Natarajan, learned Special Government appearing for the Temple authorities would submit that, the land in question no doubt belongs to the Temple, wherein if any encroachment is made either by the seventh respondent or any individual or third party, that would be measured and accordingly, such encroachment would be removed.

5. Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents 2 & 5 also would submit that, on 20.09.2025, a survey has been conducted where they found that the seventh respondent has encroached upon the property belongs to the sixth respondent Temple and notice would be issued against the seventh respondent in accordance with law and thereafter, the eviction drive would be undertaken against him, she contended.

6. Recording the said submissions made by the learned counsel appearing for both sides, especially the stand taken by Mr.NRR.Arun Natarajan, learned Special Government Pleader appearing for the respondents / HR&CE Department as well as Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents 2 & 5, i.e., Revenue Department, this Court is inclined to dispose of the writ petition with the following orders:



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(i) that there shall be a direction to the official respondents to initiate immediate action for removal of such encroachment in the Temple land, i.e., Survey No.259/1 at Korakkavadi Village, Tittakudi Taluk, Cuddalore District at the earliest in accordance with law of course after giving a proper notice to the seventh respondent.

(ii) The needful as indicated above shall be undertaken by the official respondents within a period of thirty days from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

(R.S.K., J.) (H.C., J.)
09.10.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To

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**R.SURESH KUMAR, J.
and
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