



W.P.No.44912 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.44912 of 2025

M.Loganathan

... Petitioner

-VS-

- 1.The Commissioner,
O/o. The Commissioner Office,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai – 600 034.
- 2.The Assistant Commissioner,
O/o. The Assistant Commissioner Office,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai – 600 034.
- 3.The Executive Officer,
O/o. The Executive Office,
HR&CE Department,
Kachaleeswaran Temple,
No.77, Armenian Street,
Mannady, Chennai – 600 001.
- 4.The Administrative Officer,
O/o. The Administrative Officer,



W.P.No.44912 of 2025

Hindu Religious Charitable Endowments Department,
Arulmigu Katchaleeswaran Thirukovil,
No.77, Aranmanaikkaran Street,
Mannady, Chennai – 600 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the entire records or connected with the impugned order passed by the Administrative Officer, O/o.The Administrative Officer, Hindu Religious Charitable Endowments Department, Arulmigu Katchaleeswaran Thirukkoil, No.77, Aranmanaikkaran Street, Mannady, Chennai – 600 001, the 4th respondent herein, in respect of the impugned order of eviction Notice dated 28.10.2025 and quash the same.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondents : Mr.K.Karthikeyan,
Govt. Advocate (HR&CE) for R1 to R4

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.,)

Notice dated 28.10.2025 issued by the 3rd respondent temple is under challenge in the present Writ proceedings.

2. The learned counsel for the petitioner would submit that the petitioner is not actually residing in the temple property as stated in the



W.P.No.44912 of 2025

notice. He used to visit the property in order to see his mother, who is residing there.

3. The learned Government Advocate would oppose by stating that in the sworn affidavit filed by the petitioner in support of the present Writ Petition he has stated that he is permanently residing at No.131, Sengkazhuneer Pillayar Koil Street, (Rear side of the Sengkazhuneer Pillayar Koil) Mannady, Chennai – 600 001, which is temple property. The impugned notice also would show that the said property belongs to temple.

4. May that as it be, the Writ Petition has been instituted challenging the notice, which is not entertainable. The temple Authorities have asked the petitioner the vacate and handover possession in respect of the temple property, failing which eviction proceedings will be initiated. The learned Government Advocate would further submit that the subject building is in dilapidated condition and unfit for dwelling purposes. The Chennai Corporation also issued notice for vacating the premises. However, he would submit that it is a temple property and the explanations, if any, submitted by the petitioner will be taken into consideration and thereafter, eviction proceedings will be initiated by following the procedures. It is further contended that since the building is in dilapidated condition, in the



W.P.No.44912 of 2025

even of any untoward incident, the Authorities of the Department cannot be held responsible. That apart, Corporation officials are empowered to initiate action against the persons, who are residing in dilapidated building.

5. The petitioner has not established any right for the purpose of considering the relief, more so, no Writ Petition against the notice is entertainable. Thus, the respondents are directed to proceed with the eviction proceedings by following the procedures as contemplated under the relevant statute and Rules in force. The said exercise shall be completed as expeditiously as possible, since the Government Pleader states that the building is in dilapidated condition and the Corporation Authorities found that it is unfit for dwelling purposes.

6. At this juncture, the petitioner, who is present before this Court has given an undertaking by making an endorsement in the case bundle that he will vacate the subject building and handover vacant possession to the 3rd respondent/ Executive Officer of the temple within a period of six (6) weeks from today. It is made clear that no further extension of time will be granted, since the building is in dilapidated condition and the adjacent building had already collapsed.



W.P.No.44912 of 2025

7. In view of the undertaking given, this Writ Petition stands **disposed of**. No costs.

(S.M.S,J.) (C.K,J.)
11.12.2025

Index: Yes / No
Internet: Yes / No
dsa

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5 / 6



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W.P.No.44912 of 2025

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W.P.No.44912 of 2025

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