



W.P.No.47010 of 20--

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.No.47010 of 2025

Sakthivel

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment Board,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner,
Office of the Joint Commissioner,
Hindu Religious & Charitable Endowment Board,
7th Street, Gandhi Nagar, Opposite Pillaiyar Koil Street,
Tiruvannamalai Town – 606 601.
3. The Assistant Commissioner,

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Office of the Assistant Commissioner,
Hindu Religious & Charitable Endowment Board,
No.122/107, Thiruvoodal Street,
Tiruvannamalai – 606 601.

4.A.Manavalan

(Suo-motu impleaded by order
dated 04.12.2025)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents to redeem the land encroached upon by the said Manavalan under Section 78 of Tamil Nadu Hindu Religious & Charitable Act,1959 and to safeguard the temple land by putting boundary stones.

For Petitioner : Mr.M.Mariappan

For Respondents : Mr.K.Karthekeiyan
Govt.Advocate
For R.1 to R.3
Mr.R.Subramanian
For R.4
(Suo-motu impleaded)



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ORDER

The petitioner, claiming to be a resident of Kannakurukkai Village, Poachal Post, Chengam Taluk, Tiruvannamalai District, where Arulmighu Dharmaraja Draupadi Amman Temple is situate, states that his family and ancestors are worshipping the Deity for decades together. The temple is an unlisted temple under the control of Hindu Religious & Charitable Endowments Board, owing lands in Survey Nos.105/11, 12 and 116/3 measuring 95 cents.

2. The fourth respondent A.Manavalan, who was originally shown as respondent in the writ petition, but, subsequently has been omitted from the array of parties. The grievance of the petitioner is that the said A.Manavalan has encroached upon the temple lands and therefore, the petitioner has given

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a representation to the respondents 1 to 3 on 08.05.2025, complaining that no action has been taken upon the said complaint. The present writ petition has been filed seeking issuance of writ of mandamus seeking for the above said relief.

3. Mr.K.Karthekeiyan, learned Government Advocate would bring to my notice that the writ petitioner had earlier challenged the very appointment of the said A.Manavalan as hereditary trustee of the Temple and the Division Bench of this Court by order dated 28.07.2025 in WP No.21664 of 2025, dismissed the writ petition directing the petitioner to avail of remedy as per the law under the provisions of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. Mr.R.Subramanian, learned counsel appearing for A.Manavalan, who was originally arrayed as fourth respondent, would submit that the

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petitioner is unnecessarily creating hurdles for smooth administration and management of the temple and when the petitioner wanted to install idols within the temple premises, the Hereditary Trustee A. Manavalan informed the petitioner that it can be done only with the prior permission of the officials of the HR & CE Department. As a counter blast, the present writ petition has been filed falsely alleging that the petitioner has encroached the temple land.

5. It is clear from the above discussions that the petitioner is trying to settle a personal score against the present Trustee A.Manavalan and if at all there is any real encroachment that has been made by the hereditary trustee, it is always open to the authorities to take suitable action, if it is brought to their notice and they are satisfied that there is any encroachment committed by not only A.Manavalan, but any other person.

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6. With the above observation, the writ petition is dismissed. No costs.

7. A.Manavalan, though initially shown as fourth respondent, is suo-motu impleaded in this writ petition as fourth respondent.

04.12.2025

Neutral Citation: Yes/No

Speaking Order/Non-speaking Order

Index : Yes / No

sr

To

1. The Commissioner,
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No.119, Uthamar Gandhi Salai,
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2. The Joint Commissioner,

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3. The Assistant Commissioner,

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P.B.BALAJI.,J

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