



W.P.(MD)No.6040 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

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V.Karuppu

...Petitioner

-Vs-

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Madurai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Madurai.
- 4.The Executive Officer,
Arulmigu Idaimalai Ayyanar Thirukovil,
Valaseripatti, Chokampatti,
Melur Taluk, Madurai District.
- 5.The Tahsildar,
Melur Taluk,
Madurai District.



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6.Saravanan

7.Ilayaraja

8.Pandi

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachments made by the respondents 6 to 8 in the temple land belonging to Arulmigu Idaimalai Ayyanar Temple in S.No.51/14, situated at Valaseripatti Village, Kottampaati Post, Melur Taluk, Madurai District in the light of the orders passed by this Court in W.P.(MD)No.27333 of 2019 and contempt petition (MD) No.1883 of 2023.

For Petitioner : Mr.Belco S.Meltiue
For R1 to R3 & R5 : Mr.J.Ashok
Additional Government Pleader
For R4 : Mr.C.Gunaseelarupan

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Heard Mr.Belco S.Meltiue, learned counsel appearing for the petitioner, Mr.J.Ashok, learned Additional Government Pleader for the respondents 1 to 3 and 5 and Mr.C.Gunaseelarupan, learned counsel for the fourth respondent. Considering the nature of the order proposed to be passed in this writ petition, notice to the respondents 6 to 8 is dispensed with.

2.The petitioner contends that the respondents 6 to 8 have encroached the land belonging to Arulmigu Idaimalai Ayyanar Temple at Valaseripatti



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Village, Kottampatti Post, Melur Taluk, Madurai District. The petitioner made a representation to the official respondents herein to remove the said encroachment. In this regard, he has filed a writ petition before this Court in W.P.(MD)No.27333 of 2019, which was disposed by this Court vide order dated 19.10.2022 directing the officials concerned to take appropriate action to remove the encroachment. Alleging non compliance of the order, contempt petition was filed by the petitioner and the same was closed by recording the submission of the official respondents to expedite the eviction process. Even thereafter, no action has been taken. Hence, the petitioner has filed this writ petition.

3.The learned Additional Government Pleader appearing for the official respondents submits that the Temple had already filed applications seeking to remove the encroachments made by the private respondents in the temple property before the second respondent in M.P.Nos.23, 24 and 25 of 2023. The second respondent by an order dated 16.05.2024 directed the private respondents to remove the encroachments made in the temple property. Challenging the same, the private respondents have filed revision petitions before the first respondent and the same are pending. Hence, the authorities concerned are not in a position to remove the encroachment made by the private respondents in the temple property.



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WEB COPY 4.Considering the fact that the revision petitions filed by the private respondents are pending on the file of the first respondent, we deem it appropriate to direct the first respondent to dispose of the said revision petitions on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Depending upon the outcome of the said revision petitions, the authorities concerned are directed to proceed further.

5.Accordingly, this Writ Petition is disposed of. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
06.03.2025

Index: Yes/No
Internet : Yes/No
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