



W.P(MD)No.3541 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.3541 of 2019

J.Senthil Rajesh

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep., by its Secretary,
Revenue Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Secretary,
Hindu Religious and Charitable
Endowments Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.
- 3.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nunkiamakkam, Chennai.
- 4.The District Collector,
Office of the District Collector,
Thoothukudi District.
- 5.The District Collector,
Office of the District Collector,
Tirunelveli District.



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6.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

7.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

8.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli District.

9.The Executive Officer,
Arulmigu Esakkiyamman Thirukovil,
Muppanthal, Kanniyakumari District.

10.The Thakkar and Executive Officer,
Arulmighu Subramaniaswamy Temple,
Tiruchendur, Tuticorin District.

11.The Sukkiravarakattalai,
Specific Endowment,
Rep., by its Trustee viz.,
The Executive Officer, Tiruchendur.

... Respondents

[RR4 to 7 are deleted vide Court order dated 18.02.2019]

***[RR10 and 11 are suo motu impleaded
vide Court order dated 18.02.2019]***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to retrieve all the properties belonging to Sukkiravarakattalai, associated to Thiruchenthur Arulmigu Subramaniya Swamy Temple, situating at Thiruchenthur in Thoothukudi District and in Kanniyakumari District and also in other places within the time that may be stipulated by this Court.



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For Petitioner	:	Mr.S.Malaikani
For RR1 & 2	:	Mr.P.Thilakkumar Government Pleader
For RR3 & 8	:	Mr.P.Subbaraj Special Government Pleader
For RR9	:	Mr.H.Arumugam
For RR10 & 11	:	Mr.M.Muthugeethaiyan
RR4 to 7	:	Deleted vide order dt. 18.02.2019

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in the present writ petition is to direct the respondents to retrieve all the properties belonging to Sukkiravarakkattalai, associated to Thiruchenthur Arulmigu Subramaniya Swamy Temple, situate at Thiruchenthur in Thoothukudi District and in Kanniyakumari District.

2. The Joint Commissioner/Executive Officer of the eleventh respondent filed an affidavit stating that all the lands are retrieved except one land and actions are initiated to resume the said lands also.



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3. Para 14 of the affidavit, which is relevant to the case on hand, reads as under:

“14. I respectfully submits that the property in Survey No.1057/1 having an extent of 0.48.00 Ares situated at Rajankamangalam village, Agatheeswaram Taluk, Kanyakumari District and patta was also issued in Patta No.4920 in the name of Thiruchendur Subramania swamy and the Guardian Duriasamy Nadar and above one another. The above said property belongs to the 11th respondent Kattalai is encroached by the eleven persons namely (1) Mr.Ayyasamy S/o.Mani, (2) Mrs.Rajeshwari W/o.Mohandas, (3) Mr.A.Rajakumar, S/o.Mani (4) Mrs.Panjupazham W/o.Balakrishnan, (5) Mrs.Vasantha, W/o.Paulraj, (6) Mrs.Banumathi, W/o.Rajendran, (7) Mr.Suyamburaja, (8) Mrs.Baby, W/o.Arumainayagam, (9) Mrs.Banumathi, W/o.Murugan, (10) Mrs.Rohini, W/o.Mr.Chellasley, (11) Mr.Ponnaiyn Gurusu Nadar, S/o.Mr.Jayakumar. The above said encroachments made by 11 encroachers as stated above, apart from that two temples were also constructed by encroaching the 11th respondent Kattalai lands namely 1. Amman Temple 2. Narayanaswamy Pathi Temple. This respondent is taking effective steps to evict the above said encroachers and to retrieve the lands belongs to the 11th respondent Kattalai.”



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4. In view of the fact that actions are initiated to resume the temple lands, no further adjudication is required in this Writ Petition and the same stands disposed of. There shall be no order as to costs.

J.]

[S.M.S., J.]

[A.D.M.C.,

08.07.2025

Index:Yes

Internet:Yes/No

NCC:Yes/No

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To

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Secretariat, Fort St. George, Chennai.
- 2.The Secretary,
Hindu Religious and Charitable
Endowments Department,
Government of Tamil Nadu,
Secretariat, Fort St. George, Chennai.
- 3.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nunkampakkam, Chennai.

S.M.SUBRAMANIAM, J.
and

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abr

4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli District.

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