



W.P(MD)Nos.15247 and 15248 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)Nos.15247 and 15248 of 2025

and

W.M.P(MD)Nos.11519, 11520, 11522 and 11523 of 2025

C.Thangavelu ... Petitioner in W.P(MD)Nos.15247 of 2025

M.Jothi ... Petitioner in W.P(MD)Nos.15248 of 2025

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai - 600 034.
 - 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.
 - 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Karur.
 - 4.The Executive Officer,
Sri Balsubramaniya Temple,
Kathapparai Village,
Vennamalai Post,
Karur Taluk,
Karur District.
- ... Respondents in both Writ Petitions



W.P(MD)Nos.15247 and 15248 of 2025

Prayer in W.P(MD)Nos.15247 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the eviction order passed by the 2nd respondent in his proceedings impugned order dated 06.05.2025 signed on 22.05.2025 and quash the same and consequently direct the respondents to take further action with the Miscellaneous Petitions No.326 dated 06.05.2025 in Survey No.235 at Kathaparai Village, Vennamalai, Karur Taluk, Karur District without following due process of law.

Prayer in W.P(MD)Nos.15248 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the eviction order passed by the 2nd respondent in his proceedings Miscellaneous Petitions No.193/2024 dated 06.05.2025 signed on 22.05.2025 and quash the same and consequently direct the respondents to take further action with the Miscellaneous Petitions No.326 dated 06.05.2025 in Survey No.235 at Kathaparai Village, Vennamalai, Karur Taluk, Karur District without following due process of law.

For Petitioner : Mr.D.Selvanayagam
For R1 to R3 : Mr.S.S.Madhavan
Additional Government Pleader
For R4 : Mr.P.Aathimoola Pandian

(in both petitions)



W.P(MD)Nos.15247 and 15248 of 2025

WEB COPY

ORDER

This Writ Petition is filed seeking Writ of Certiorarified Mandamus, to call for the records in connection with the eviction order passed by the 2nd respondent in his proceedings impugned order dated 06.05.2025 signed on 22.05.2025 and quash the same and consequently direct the respondents to take further action with the Miscellaneous Petitions No.326 dated 06.05.2025 in Survey No.235 at Kathaparai Village, Vennamalai, Karur Taluk, Karur District without following due process of law.

2. The contention of the petitioners is that he is the owner of the disputed land which comprised of a house and commercial shop. However, the fourth respondent is claiming title over the property. As per the fourth respondent, it is classified as Service Inam land. Therefore, eviction proceedings have been initiated by the respondents. Aggrieved over the same, the petitioners have approached this Court earlier in in W.P.(MD)No.25821 of 2024. By order dated 22.01.2025, this Court directed the petitioners therein to approach the concerned Civil Court. Learned counsel for the petitioners would submit that the petitioners have filed suits in O.S.No.217 of 2025 and O.S.No.192 of 2025, respectively, before the file of the Principal Sub Court, Karur. The petitioner



W.P(MD)Nos.15247 and 15248 of 2025

has also filed an interim application where notice has been ordered and the same is pending.

3. Heard both sides and perused the materials available on record. With the consent of both sides, the matter is taken up for final disposal at the admission stage itself.

4. On perusal of records, it is seen that for a particular period, the petitioners were protected by the order of this Court dated 22.01.2025 in W.P. (MD)No.25821 of 2024, in which a direction was issued to the petitioners to file a suit. However, the temple is claiming title over the property and the respondents have passed eviction order.

5. In order to have balance of convenience, this Court directs the petitioners herein to pay a sum of Rs.10,000/- for each shop which is under their possession, within a period of four weeks from the date of receipt of a copy of this order. On such deposit the entire proceedings of eviction shall be kept in abeyance. The parties are directed to adhere to the outcome of the suit. However, the learned Principal Subordinate Judge, Karur, is directed to dispose the suit within a period of one year from the date of receipt of a copy of this order.



W.P(MD)Nos.15247 and 15248 of 2025

WEB COPY

6. With this direction and observation, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

05.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

pnn

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road, Chennai - 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Karur.
- 4.The Executive Officer, Sri Balsubramaniya Temple,
Kathapparai Village, Vennamalai Post, Karur Taluk,
Karur District.



WEB COPY



W.P(MD)Nos.15247 and 15248 of 2025

S.SRIMATHY, J.

pnn

W.P(MD)Nos.15247 and 15248 of 2025

05.06.2025