



Cont.P.(MD) No.1508 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

Cont.P.(MD) No.1508 of 2025

K.Prakash

... Petitioner

Vs.

1.Mr.P.N.Sridhar, I.A.S.,
The Commissioner,
Hindu Religious and Charitable
Endowments,
No.119, Uthamar Gandhi Road,
Nungampakkam,
Chennai - 600 034.

2.Mrs.C.Kalyani
The Joint Commissioner.
Hindu Religious and Charitable
Endowments, Trichy.

3.Mr.Jai Kissan,
The Thakkar/Executive Officer,
Arulmigu Varatharajaperumal Temple,
Sethevimalangalam (North),
Mannachanallur Taluk,
Trichy District.

... Respondents

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents herein for their willful disobedience of the order dated 25.10.2024 passed in W.P.(MD) No.24531 of 2024.



WEB COPY



Cont.P.(MD) No.1508 of 2025

For Petitioner : Mr.G.Sujeeth
For R1 & R2 : Mr.S.S.Madhavan
Additional Government Pleader
For R3 : Mr.V.Chandrasekar
Standing Counsel

ORDER

This Contempt Petition has been filed to punish the respondents for their willful disobedience of the order dated 25.10.2024 passed in W.P. (MD) No.24531 of 2024.

2. The petitioner was the fourth respondent in the above Writ Petition, which was filed by one Vembu against the Commissioner and Joint Commissioner of the Hindu Religious and Charitable Endowments Department and the Thakkar/Executive Officer of the Temple, who have now been arrayed as respondents/contemnors for having violated the order passed on 25.10.2024 in the said Writ Petition. The directions contained in the said order dated 25.10.2024 are reproduced below:

7. The Writ Petition stands disposed of on the following terms:

a) Without deciding on the rights or obligation of the petitioner, the petitioner is directed to pay the amount which has been offered by the highest bidder/successful bidder with regard to the extent of land in the possession of the petitioner.



WEB COPY



Cont.P.(MD) No.1508 of 2025

b) If the petitioner is in possession of excess land than what is brought to auction, excess amount corresponding to such excess land in possession shall be worked out and the same shall be paid by the petitioner within a period of 10 days from the date of receipt of a copy of this order.

c) If the petitioner is found to be an encroacher, the respondent Temple is at liberty to proceed in accordance with law.

d) If the petitioner is not found to be an encroacher, it is open to the respondent authorities to refix the rent in terms of Section 34-A of HR and CE Act.

e) It is also open to the successful bidder to submit a representation for refund of the tender amount/deposit, if any. If such representation is made, the same shall be considered and appropriate orders shall be passed in accordance with law, after issuing notice to the petitioner, respondents 4 to 11 and any other interested parties / stake holders within a period of 6 weeks thereon.

f) If the respondent authorities choose to initiate proceedings under Section 78 of the Hindu Religious and Charitable Endowments Act, the same shall be concluded as expeditiously as possible.

No costs. Consequently, connected miscellaneous petition is closed.

3. It is informed by the learned Additional Government Pleader appearing for the first and second respondents that steps have been taken pursuant to the aforesaid order. It is submitted that the amount due from various encroachers has been collected and paid. It is further submitted



Cont.P.(MD) No.1508 of 2025

that a sum of Rs.1,14,900/- has been paid to the petitioner. Additionally, it is submitted that proceedings have been initiated against the encroachers under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959, by the second respondent, the Joint Commissioner. It is stated that the proceedings will take some time to be concluded.

4. Considering the same, there is no scope for maintaining this contempt petition. However, in the interest of justice, there shall be a direction to the second respondent, the Joint Commissioner of the Hindu Religious and Charitable Endowments Department, to conclude the proceedings initiated under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

5. With the above directions, this Contempt Petition stands closed.

26.06.2025

JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order



WEB COPY



Cont.P.(MD) No.1508 of 2025

C.SARAVANAN, J.

JEN

Cont.P.(MD) No.1508 of 2025

26.06.2025