



W.P.(MD)No.17436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.17436 of 2024

and

W.M.P.(MD)No.14972 of 2024

A.Subburaj

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Dindigul District-624 004.
- 2.The Revenue Divisional Officer and President,
Divisional Monitoring Committee,
(Eviction of Encroachments),
Dindigul Revenue Divisional Office,
Dindigul District-624 001.
- 3.The Divisional Engineer (Highways),
Construction and Maintenance Division,
Dindigul District-624 001.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Dindigul-624 001.



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5.The Tahsildar,
Dindigul East Taluk Office,
Dindigul District.

6.N.Senthil Kumar

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th respondent in the name of Sri Kaliamman Sri Bhagavathi Amman Temple in S.No.243(0.30.5 Hect) which is earmarked as Highway Poromboke land situated at A.Vellodu Village, Dindigul East Taluk, Dindigul District based on the petitioner's representation dated 16.07.2024.

For Petitioner : Mr.C.Ezhilarasu

For R1 to R3 & R5: Mr.S.P.Maharajan,
Special Government Pleader

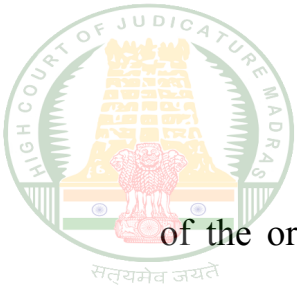
For R4 : Mr.P.Subbaraj,
Special Government Pleader

For R6 : Mr.C.M.Mari Chelliah Prabu

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

Today (26.06.2025), when the matter is taken up for hearing, the learned Special Government Pleader appearing for the 4th respondent has furnished a copy



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of the order passed by the learned Single Judge in W.P.(MD)No.7042 of 2025,
dated 17.03.2025 filed by the very same petitioner.

2.During the pendency of the Writ Petition, the petitioner has chosen to file subsequent Writ Petition with the same prayer without disclosing the fact regarding the filing of the present Writ Petition. However, the learned Single Judge vide order dated 17.03.2025 directed the Joint Commissioner, HR & CE Department to consider the petitioner's representation and initiate appropriate action.

3.Pursuant to the said order, the Joint Commissioner has passed an order vide proceedings dated 31.05.2025, stating that the subject property belongs to the temple. If so, all appropriate actions are to be initiated to protect the temple property.

4.It is needless to state that encroachment if any identified must be removed by following the procedures as contemplated under HR & CE Act. In this regard, eviction proceedings are to be initiated under Section 78 of HR & CE Act. The authorities competent are directed to conclude the enforcement action as expeditiously as possible.



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5. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

**(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025**

NCC : Yes / No

Index : Yes / No

Yuva

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AND

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