



W.P(MD)No.20299 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM:

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

W.P(MD)No.20299 of 2022

N.Induja

... Petitioner

VS.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Palayamkottai, Tirunelveli.
- 3.The Executive Officer,
Arulmigu Kanni Vinayagar Temple,
Vadiveeswaram,
Nagerkovil,
Kanyakumari District.
- 4.Murugan
- 5.Suresh
- 6.Pon Esakki Konar

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to remove the encroachments made by the respondents 4 and 5 and to demolish the offending construction put up over the agricultural land belongs to the Arulmigu Muppidari Amman Temple in Survey No.S12-5-6 of Lalavilai Revenue Village, Agasteeswaram Taluk, Kanyakumari District and retrieve the same to its original position.

For Petitioner	: Ms.P.Nagalakshmi for Mr.J.Pooventhera Rajan
For RR 1 & 2	: Mr.P.Subbaraj Special Government Pleader
For R – 3	: Mr.VR.Shanmuganathan
For R – 4	: Mr.S.C.Herold Singh
For R – 5	: No appearance
For R – 6	: Not ready in notice



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ORDER

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

The writ on hand has been instituted to direct the respondents 2 and 3 to remove the encroachments made by the respondents 4 and 5 and to demolish the offending construction put up over the agricultural land belonging to the Arulmigu Muppidari Amman Temple in Survey No.S12-5-6 of Lalavilai Revenue Village, Agasteeswaram Taluk, Kanyakumari District and to retrieve the same to its original position.

2.With reference to the relief sought for in the present Writ Petition, the learned counsel appearing for the third respondent submitted that action has been initiated under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

3.Since action has already been initiated, the third respondent is directed to conduct an enquiry by following the procedures as contemplated



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under the relevant Act and Rules and to conclude the process within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of.

There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
04.08.2025
(1/2)

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



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To

- 1.The Commissioner,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.20299 of 2022

DATED : 04.08.2025
(1/2)