



W.P.(MD).No.19605 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.19605 of 2025

Malarthangam

... Petitioner

Vs.

- 1.The District Collector,
Madurai District.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai, Madurai District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai, Madurai District.
- 4.The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.
- 5.The Revenue Divisional Officer,
Madurai South Taluk,
Madurai District.
- 6.The Thasildhar,
Madurai South Taluk,
Madurai District.



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7.The Manager,
Sivagangai Samasthanam Devasthanam,
Arulmigu Meenakshi Sundaraeswarar
Temple Annabisega Kattalai, Sivagangai,
Madurai Region.

8.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

9.Balakrishnan @ Ramasubramani

10.Thavudan @ Shanmuganathan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent nos.2 and 3 herein to take appropriate action in consonance with Sec.79 of Hindu Religious and Charitable Endowments Act, 1951 in respect of the land comprised in Survey No.131/3 ad-measures to an extent of 2 acres and 48 cent situated at Samayanallur Village, Madurai South Taluk, Madurai District against the respondent Nos.9 and 10 with the help of the respondent Nos.1, 4 to 8 within a stipulated time period in accordance with law on the basis of the representations, dated 26.05.2025 and 14.06.2025.

For Petitioner	: Mr.C.Senthil Murugan
For R1 to R6	: Mr.SS.Madhavan Additional Government Pleader
For R7	: Mr.S.Manohar Standing Counsel
For R8	: Mr.Vaikkam Karunanithi Government Advocate (Crl.Side)



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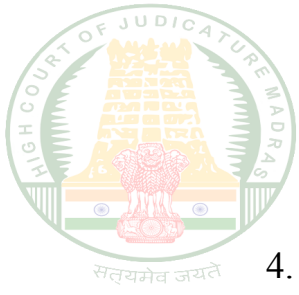
ORDER

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This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respective official respondents and after dispensing the notice on the private respondents.

2. It appears that the seventh respondent has leased the property to the petitioner. However, according to the petitioner, respondent Nos.9 and 10 have encroached upon the property based on a purported Cowle Deed, on 03.02.1923, which allegedly granted the right of permanent occupation/permanent tenancy to the predecessor of the private respondents.

3. It is submitted that, subsequent to the enactment of Act 30 of 1963, the said Cowle Deed was nullified by proceedings, dated 06.12.1969. In view of the same, the petitioner's representations, dated 26.05.2025 and 14.06.2025 deserve to be considered by the seventh respondent.



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4. Under these circumstances, there shall be a direction to the respondent No.7 to consider the petitioner's representations and to take appropriate action, after due notice to the private respondents in accordance with law. The exercise shall be initiated within a period of six weeks from the date of receipt of copy of this order.

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

23.07.2025

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

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C.SARAVANAN, J.

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