



W.P.(MD) No.22920 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.08.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.22920 of 2025

and

W.M.P.(MD) No.18005 of 2025

P.Dharmaraj

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
Chennai.
- 2.Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Prambalur.
- 3.Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Trichy.
- 4.Arulmigu Viswanathasamy Temple
Rep. by its Executive Officer,
Lalgudi Taluk, Tiruchy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the



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records on the file of the second respondent in his proceedings bearing reference Na.Ka.No.7051/2023/a5 dated 31.01.2025 and quashing the same as illegal, arbitrary, against law and violation of natural justice and thereby restraining the respondents herein from dispossessing the petitioner from the subject property situated at S.No.31/1, Ayyanvaikal Karai, Pambaramsutri, Lalgudi Taluk, Trichy District.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

The petitioner is aggrieved by the impugned proceedings of the second respondent dated 31.01.2025 bearing reference Na.Ka.No. 7051/2023/a5.

2. By the impugned proceedings, the second respondent has ordered the eviction of the petitioner from the subject property situated in S.No. 31/1, Ayyanvaikal Karai, Pambaramsutri, Lalgudi Taluk, Trichy District.

3. The learned counsel for the petitioner submits that this morning, the respondents demolished the property, after the petitioner has obtained a court slip for listing this case under lunch motion.



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4. On the other hand, the learned Special Government Pleader for the respondents submits that the encroachment was removed on 21.02.2025. To that effect, he has filed a copy of the communication of the fourth respondent, Executive Officer of the temple, addressed to the second respondent, Assistant Commissioner, dated 06.03.2025. The same stands recorded.

5. If the petitioner is aggrieved by the impugned proceedings, the petitioner ought to have filed an application under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. However, since the time for filing such an application has already expired and the petitioner is agitating his rights, liberty is granted to the petitioner to work out his remedy before the first respondent, Commissioner, under Section 21 of the said Act.

6. In case such an application is filed under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, the first respondent Commissioner shall endeavour to pass appropriate orders, as expeditiously as possible, within a period of three months from the date of receipt of a copy of this order.



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WEB COPY 7. Accordingly, this Writ Petition stands disposed of. No costs.

Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-Speaking Order

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
- 2.Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Prambalur.
- 3.Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Trichy.



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C.SARAVANAN, J.

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