



W.P.(MD) Nos.23303 to 23305 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.08.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) Nos.23303 to 23305 of 2025

and

W.M.P.(MD) Nos.18312, 18323 & 18316 of 2025

A.Mohamed Farook

... Petitioner in
all W.Ps.

Vs.

- 1.The Commissioner,
Hindu Religious & Charitable
Endowments Department,
No.119, Nungambakkam High Road,
Chennai - 600 034.
- 2.The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Thanjavur Division,
Sachidhanandha Moopanar Salai,
Thanjavur - 613001.
- 3.The Assistant Commissioner,
Hindu Religious & Charitable
Endowments Department,
Thanjavur Division,
SM Road, Thanjavur Town - 613001.



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4.The Executive Officer,
A/m. Brahmakandeesevarar Temple,
Kandiyur, Thiruvaiyaru Taluk,
Thanjavur District.

... R1 to R4 in all W.Ps.

5.B.Mohamed Ismail

... R5 in W.P.(MD)Nos.
23303 & 23304/2025

Prayer in W.P.(MD)No.23303 of 2025 : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents 2 to 4 from taking any coercive action to dispossess the petitioner from the subject property measuring an extent of 374 sq.ft. comprised in Survey No.313/6(part), 313/7(part) (Old S.No. 23C1) Kandiyur, Thiruvaiyaru Taluk, Thanjavur District, till the disposal of the Revision Petition in R.P.E.Office No.1903836 of 2025 pending with the first respondent filed against the order dated 05.08.2025 of the second respondent made in M.P.No.23 of 2022.

Prayer in W.P.(MD)No.23304 of 2025 : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents 2 to 4 from taking any coercive action to dispossess the petitioner from the subject property measuring an extent of 611 sq.ft. comprised in Survey No.313/6(part), 313/7(part) (Old S.No. 23C1) Kandiyur, Thiruvaiyaru Taluk, Thanjavur District, till the disposal of the Revision Petition in R.P.E.Office No.1903866 of 2025 pending with the first respondent filed against the order dated 05.08.2025 of the second respondent made in M.P.No.26 of 2022.



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Prayer in W.P.(MD) No.23305 of 2025 : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents 2 to 4 from taking any coercive action to dispossess the petitioner from the subject property measuring an extent of 767 sq.ft. comprised in Survey No.313/6(part), 313/7(part) (Old S.No. 23C1) Kandiyur, Thiruvaiyaru Taluk, Thanjavur District, till the disposal of the Revision Petition in R.P.E.Office No.1903887 of 2025 pending with the first respondent filed against the order dated 05.08.2025 of the second respondent made in M.P.No.51 of 2022.

For Petitioner
in all W.Ps. : Mr.S.Madhavan

For R1 to R3
in all W.Ps. : Mr.SS.Madhavan
Additional Government Pleader

For R4
in all W.Ps. : Mr.V.Chandrasekar
Standing Counsel

COMMON ORDER

The petitioner is aggrieved by the orders dated 05.08.2025, in M.P.Nos.23, 26 and 51 of 2022, passed under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 [hereinafter referred to as "the H.R. & C.E. Act"]].

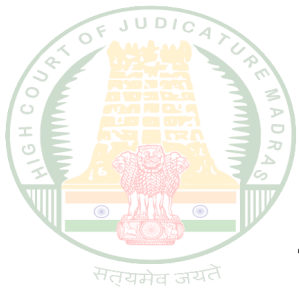


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WEB COPY 2. Challenging the said orders, the petitioner has filed Revision Petitions under Section 21 of the H.R. & C.E. Act before the first respondent / Commissioner on 18.08.2025. In the present Writ Petitions, the petitioner seeks interim relief pending disposal of the said Revision Petitions.

3. The learned counsel for the petitioner has drawn the attention of this Court to a recent decision rendered in respect of the same temple, in W.P.(MD)Nos.20453 and 20454 of 2025, filed by the petitioner herein, namely, A.Mohamed Farook, wherein this Court has held as follows:-

"5. Considering the same, these writ petitions are disposed of in terms of the above direction. It is made clear that the first respondent shall dispose of the stay application in the revision petition, if any, as expeditiously as possible considering the fact that the Kumbabishekam of the subject temple namely Arulmigu Brahmakandeesevarar Temple, Kandiyur, Thiruvaiyaru Taluk, Thanjavur District is proposed to be held on 04.09.2025. No costs. Consequently, the connected miscellaneous petitions are closed."



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4. The aforesaid order was passed by this Court based on an earlier order dated **17.07.2025** passed in **W.P.(MD)No.19533 of 2025 [C.Raja @ Karuppiah vs. The Commissioner, H.R. & C.E. Department and others]**. The relevant portion of the said order dated 17.07.2025 in W.P. (MD)No.19533 of 2025 is extracted below:-

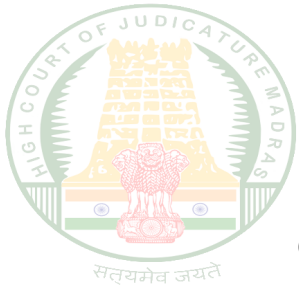
"5. The learned Additional Government Pleader for the respondents 1 to 3 submits the Revision Petition will be disposed of within a period of three (3) months from the date of receipt of a copy of this order.

6. Considering the fact that already the petitioner has suffered an adverse order and filed a Revision on 14.07.2025, the respondents 2 to 4 are directed to maintain status quo for a period of 30 days from today.

7. The first respondent/Commissioner shall dispose of the stay petition, if any. The petitioner's continuation over the property will be subject to the interim order to be secured by the petitioner within a period of thirty (30) days from today, provided that the first respondent/Commissioner passes such an order within a period of 30 days from today.

8. This Writ Petition is disposed of, with the above observations. No costs. Consequently, connected miscellaneous petition is closed."

5. The aforesaid order has been followed in W.P.(MD)Nos.20453 and 20454 of 2025.



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6. Following the orders passed in the above-mentioned Writ Petitions, I am inclined to grant temporary reprieve to the petitioner, subject to the first respondent disposing of the stay applications, if any filed by the petitioner, as expeditiously as possible.

7. Accordingly, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

26.08.2025

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-Speaking Order
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To

- 1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Nungambakkam High Road,
Chennai - 600 034.
- 2.The Joint Commissioner,
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C.SARAVANAN, J.

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Common order in
W.P.(MD) Nos.23303 to 23305 of 2025

26.08.2025