



W.P(MD)No.25117 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25117 of 2025

and

W.M.P.(MD)No.19707 of 2025

Pandiya Velalar Mahajana Thanneer Pandal Chathiram,
Represented by its Hereditary Executive Kariasthar,
D.Backiaraj.

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.

2.The Joint Commissioner / Executive Officer,
Arulmigu Mariamman Thirukovil Samayapuram,
Hindu Religious and Charitable
Endowment Department,
Samayapuram, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from interfering with the property in Survey No.91/2, to the extent of 1563.50 Sq. Ft. situated at Samayapuram Village, Lalgudi Taluk, Trichy District.



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For Petitioner : Mrs.S.Mahalakshmi

For Respondents : Mr.G.Suriya Ananth,
Addl. Government Pleader for R1.
Mr.V.Chandrasekar for R2

ORDER

Heard both sides.

2.The second respondent has sent legal notice dated 05.08.2025 calling upon the petitioner to hand over possession of the petition mentioned temple. In this background, this writ petition has been filed.

3.After all the petitioner had received only a legal notice. The learned counsel for the petitioner states that suitable reply has also been given. The second respondent cannot summarily throw out the petitioner. The second respondent if at all has to initiate proceedings only under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959. The case of the writ petitioner is that even such a proceeding will not be maintainable and only the Civil Court can decide the issue of title.



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The petitioner is said to have filed a civil suit already. These aspects can be gone into an appropriate stage. Mandating the second respondent to adhere to due process of law, this writ petition is disposed of. No costs. Consequently, connected miscellaneous is closed.

15.09.2025

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

- 1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.
- 2.The Joint Commissioner / Executive Officer,
Arulmigu Mariamman Thirukovil Samayapuram,
Hindu Religious and Charitable
Endowment Department,
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