



W.P(MD)No.30629 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30629 of 2025

S.Gangadharan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Road,
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Mullippadi, Seelappadi,
Dindigul District.

3.The Assistant Commissioner,
Hindu Religious Charitable Endowments Department,
No.48, Spencer Compound,
2nd Cross Street, Thiruvalluvar Nagar,
Dindigul District.

4.The Fit Person,
Arulmigu Sri Periya Vinayagar Temple,
Natham Nagar, Natham Taluk,
Dindigul District.

... Respondents



W.P(MD)No.30629 of 2025

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to dispose of the petitioner's representation dated 26.08.2025 within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Madhavan

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

Heard both sides.

2. The respondents admit the allegation of the petitioner that the petition mentioned temple lands have been encroached. Since such admission has been made, the third respondent is obliged to file a petition under Section 78 of the HR & CE Act before the second respondent. This shall be done by the third respondent within a period of four weeks from the date of receipt of a copy of this order. The second respondent will number the eviction petition immediately. Notices shall be issued to the encroachers as expeditiously as possible. The petition itself will be disposed of on merits and in accordance with law within a period of six months thereafter. Merely because I have



W.P(MD)No.30629 of 2025

employed the expression “encroacher” “admit” etc,, that does not mean that the defences of the third parties are foreclosed. Likewise, the second respondent as the statutory authority is at liberty to pass an appropriate order as per law. The order of this Court should be understood as nudging the authorities to take action and conclude the same within a given time frame. The Writ Petition is disposed of accordingly. No costs.

29.10.2025

Index : Yes / No
Internet : Yes/ No
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To

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W.P(MD)No.30629 of 2025

G.R.SWAMINATHAN, J.

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W.P(MD)No.30629 of 2025

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