



W.P(MD)No.31018 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.31018 of 2025

P.Maruthu

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thanjavur.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukottai.
- 3.The Executive Officer,
Arulmigu Bhagavathy Amman Thirukotil,
Keeranur, Kulathur Taluk,
Pudukottai.
- 4.Sasikumar
- 5.V.Angappan
- 6.V.Gurunathan
- 7.Vaduvel
- 8.Shanmugasundaram

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9.Namachivayam

10.K.Muthuchami

11.A.Dinesh

12.R.Arumugam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to complete the proceedings dated 03.12.2024 based on petitioner's representation dated 01.12.2024 and reminder dated 19.05.2025.

For Petitioner : Mr.K.K.Udayakumar

For Respondents : Mr.P.Subbaraj,
Spl. Government Pleader for R1 & R2.
Mr.G.Mathavan for R3

ORDER

Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.



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2.The writ petitioner is a person interested in the affairs of the third respondent / temple. He happens to be its Poosari also. The specific stand of the petitioner is that the land owned by the third respondent are under encroachment. The petitioner has already given a representation in this regard.

3.The second respondent will call for a report from the third respondent and ascertain the factual position. If the writ petitioner's allegation is true, the second respondent will file an eviction petition under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959 before the first respondent. If such an application is filed, the first respondent should number the same immediately and after issuing notice to all the encroachers, complete the proceedings within a period of six months from the date of service of notices on the encroachers. That does not mean that service of notices should be delayed unnecessarily. I make it clear that the defence of the private respondents herein have not been foreclosed by issuance of this direction.



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4.This writ petition is disposed of accordingly. No costs.

03.11.2025

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

- 1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thanjavur.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukottai.



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G.R.SWAMINATHAN, J.

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