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W.P.(MD)NO.32031 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.32031 of 2025

1. M.Thiruppathi
2. M.Nagaraj
3. M.Maheswaran
4. M.Anandhan
5. M.Saravanan
6. P.Natarajan
7. T.Nagaraj
8. N.Kumaresan

... Petitioners

Vs.

1. The Commissioner,
HR&CE,
Madurai.
2. The Joint Commissioner,
HR&CE,
Madurai.
3. The Assistant Commissioner,
HR&CE,
Madurai.
4. The Executive Officer,
Arulmigu Mahadevasamy Temple,
Rajamill Road,
Madurai – 10.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to deposit the rent amount collected from the tenants in respect of the property which is the subject matter of the pending civil suit in O.S.No.163 of 2018 before the District Munsif Court till the disposal of the suit.

For Petitioners : Ms.S.Pavithra,
for M/s.Ganesan Legist Law Firm.

For R-1 to R-3 : Mr.P.Subbaraj,
Special Government Pleader.

For R-4 : Mr.S.Manohar

* * *

ORDER

Heard both sides.

2. The petitioner herein filed O.S.No.163 of 2018 on the file of the II Additional District Munsif Court, Madurai Town seeking the relief of declaration and permanent injunction. The dispute is between the petitioners on the one hand and the fourth respondent temple on the other. The petitioner's claim is that the fourth respondent temple has collected rents from the tenants and



appropriated for itself. The prayer in the writ petition itself is that the said rent should be deposited to the credit of the suit.

3. I am not inclined to grant relief as sought for. Nothing stops the petitioners from filing IA seeking the relief now sought for in the writ petition, before the trial Court itself. In any event since the suit is of the year 2018 itself, the trial Court should dispose of the same on merits and in accordance with law within a period of twelve months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

12.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Commissioner,
HR&CE, Madurai.
2. The Joint Commissioner,
HR&CE, Madurai.
3. The Assistant Commissioner,
HR&CE, Madurai.



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G.R.SWAMINATHAN,J.

PMU

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