



W.P(MD)No.33410 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.33410 of 2025

and

W.M.P.(MD)Nos.26376 and 26377 of 2025

M.Muthukumar

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Seelapadi, Dindigul District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari filed Mandamus, to call for the records of the impugned notice in Na.Ka.No.1751/2025/Aa4 dated 06.11.2025 issued by the 2nd Respondent and quash the same as illegal and consequently direct the Respondents to consider the Petitioner's request for rental the premises situated at Perumalkovilpatti



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Village, Ambathurai Revenue Village, Aathur Taluk, Dindigul District
and further direct the Respondents not to evict the Petitioner's family at
Perumalkovilpatti Village, Ambathurai Revenue Village, Aathur aluk,
Dindigul District.

For Petitioner : Mr.P.Manikandan

For Respondents : Mr.P.Subbaraj,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner challenges the impugned communication whereby he has been asked to vacate. The primary eviction order has not been challenged. Strictly speaking, the impugned challenge may not lie. However, there is considerable merit in the contention of the learned counsel for the petitioner that eviction drive cannot be selectively enforced. The learned counsel for the petitioner has gone to the extent of alleging that there is religious discrimination. It is a very serious statement and it has to be taken note of by the respondents. Even



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according to the respondents, there are totally 75 encroachers. Among them, 32 are Hindus. The remaining belong to other religions. I make it clear that all the religions will have to be evicted at one go. They cannot selectively evict the encroachers.

3.The petitioner states that he is ready to become a tenant under the respondent temple. The petitioner undertakes to give a fresh application within a period of one week from the date of receipt of a copy of this order. The respondents will consider the said application. I make it clear that the terms of offer should be equally made to all the encroachers. In this case also, there cannot be any discrimination.

4.With the aforesaid observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

20.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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