



WA No.178 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

Writ Appeal No.178 of 2026
and CMP Nos.1640 and 1642 of 2026

A.Vijayakumar

.. Appellant

-vs-

1. The Secretary to Government,
Hindu Religious & Charitable Endowment
Department, Secretariat, Fort St. George,
Chennai 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowment
Department,, Nungambakkam,
Chennai 600 034.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department, Mayiladuthurai.
4. The Hereditary Trustee,
Darumapura Adhinam,
Arulmiku Amirthakadeswarar Swami Thirukovil,
Thirukkadaiyur, Tharangampadi Taluk,
Mayiladuthurai.



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5. The Assistant Commissioner,
Hindu Religious & Charitable Endowment
Department,, Mayiladuthurai.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 05.12.2025 passed in W.P.No.40883 of 2025 on the file of this Court.

For Appellant : Mr.S.Ayyathurai
For Respondents : Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader (HR & CE),
for RR 1 to 3 and 5
: Mr.M.Manivasagam, for R-4

* * * * *

JUDGMENT

(Judgment of the Court was
delivered by the Hon'ble Chief Justice)

The prayer for extension of further time of three months to vacate the premises from which the appellant has been directed to be evicted, having been found to be an encroacher, cannot be accepted, in the appellate proceedings.

2. It is apparently clear that even though an eviction order was passed against the appellant way back on 31.03.2022, due to pendency of various proceedings at different stages upto this Court,



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the appellant has been enjoying possession. The learned Single Judge, by the impugned order passed on 05.12.2025, gave the petitioner almost two months' time to vacate the premises.

3. We do not think, more than that any further indulgence should be granted to the appellant. Exercise of extraordinary jurisdiction is discretionary and equitable in nature. We do not find any basis to give further indulgence to an encroacher.

Writ Appeal is dismissed. There shall be no order as to costs. Consequently, the interim applications stand closed.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
29.01.2026

Index : Yes/No
Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

To

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Chennai 600 009.
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