



WEB COPY

WP No. 6021 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 6021 of 2026
W.M.P.No.6541 of 2026

Govindaraj

..Petitioner(s)

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
119,Uthamar Gandhi Rd, Thousand Lights
West,
Nungambakkam, Chennai -600034.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Rajaji Nagar, 3rd Cross, Rayakottai Road,
Krishnagiri District.
3. The Executive Officer,
Thimmarayaswamy Temple,
Nellur Village, Thottithammanahalli Post,
Thenkanikottai Taluk, Krishnagiri District.

..Respondent(s)

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue Writ of Mandamus or any other direction in the nature of Writ of Mandamus directing the respondents not to interfere with petitioner lawful possession over the Writ Petition Schedule property based on Petitioner representation dated 02.02.2026



For Petitioner(s):
For Respondent(s):

Mr.P.Satheesh Kumar
Mr.A.Karthikeyan
Government Advocate
(HR & CE) R1 to R3

ORDER

The Writ Petition is filed for a Mandamus directing the respondents not to interfere with the lawful possession over the property in S.No.290/3, Nellore Village, Thenkanikottai Taluk, Krishnagiri District.

2.According to the petitioner, the petitioner is in enjoyment and occupation of the same. Suddenly, without following any due process of law he is sought to be evicted from the property and simultaneously the auction notification is also issued and therefore, the petitioner is before this Court.

3.When the matter came up for hearing, the learned Government Advocate appearing on behalf of the respondents would place on record the written instructions wherein, it has been stated that the land admeasuring an extent of acres 2.20 cents is in the unauthorised occupation of the petitioner herein. The petitioner has not paid even a single rupee to the temple. He is a rank encroacher. They are not dispossessing the petitioner without due process of law. They entered the land only for demarcating and also measuring the same. Due steps will be taken in accordance with the provisions under Section 78 and 79 of the HR and CE Act.



4. I have considered the rival submissions made on either side and perused the material records of the case.

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5. Undertaking is given before this Court that due process of law will be followed and possession will be taken from the petitioner only by following the due process of law. Recording the same, the Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

6. The petitioner cannot be aggrieved by the fact that the auction notification is also issued. The manner in which the respondents proposed to dispose of the property is none of the concern of the petitioner as the petitioner does not seem to believe that occupant of the temple's property he should at least pay some rent to the temple. Therefore, nothing illegal in already auctioning the property and keeping it ready to handed over to the successful bidder. As far as the possession from the petitioner is concerned as undertaken due show cause notice can be given. It will be open to the petitioner to show cause and further steps will be taken in the manner known to law.

17-02-2026

Neutral Citation: Yes/No

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D.BHARATHA CHAKRAVARTHY, J.

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To

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