



WEB COPY



W.P.No.8380 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.8380 of 2026 &
WMP.Nos.9068 & 9122 of 2026

A/M. Sri Varadharaja Perumal Temple
Represented by its Administrator
A.Radhakrishnan,
S/o Late Arumugha Thevar,
10/11, Pillaiyar Koil Street, Market Road,
Irugur Suler Taluk, Coimbaotre 641 103

...Petitioner(s)

Vs

1. The State of Tamil Nadu
Represented by its Secretary to
Government, Adi Dravidar Welfare
Department, Fot St. George,
Chennai 600 009
2. The District Collector
Coimbatore District,
Coimbatore 641 018
3. The Special Tahsildar
Adi Dravidar Welfare,
Coimbatore Distract,
Coimbatore



W.P.No.8380 of 2026

WEB COPY

4. The Assistant commissioner
Hindu Religious & Charitable
Endowment Board, Coimbatore

5. R.Anantharaman,
S/o Late Ramanujam,
Irugur Sulur Taluk,
Coimbatore 641 103

...Respondent(s)

Prayer Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the proceedings in respect of the properties more fully described in the schedule annexed to the petition as notified by the 2nd respondent in the Coimbatore District Gazette on 26.2.1996 vide Ref.No.160471/95 (N-6), dated 13.2.1996 under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act 1978 and quash the same.

For Petitioner(s):

Mr.V.Raghavachari, Senior Counsel
for M/s.C.Arunseshan

For Respondent(s):

Mr.N.R.R.Arun Natarajan,
Special Government Pleader
for R1 to R4



W.P.No.8380 of 2026

WEB COPY

ORDER

This is a petition filed by the petitioner seeking to quash the proceedings of the second respondent in respect of the properties more fully described in the Coimbatore District Gazette on 26.2.1996.

2. Heard the learned Senior Counsel appearing on behalf of the petitioner and the learned Special Government Pleader appearing for respondents 1 to 4. Since no adverse order is being passed against the fifth respondent, notice to him is dispensed with.

3. The case of the petitioner is as follows:

(a) The petitioner claims that his grandfather owned 7 acres and 29 cents of lands in S.Nos.189/1, 190/1, 191/1, 194/2 and 192/2, Irugur Village, Sulur Taluk, Coimbatore District and constructed Sri Varadharaja Perumal temple in a portion of the subject properties. The petitioner's grandfather settled the subject properties in favour of the said temple after executing a settlement deed on 09.10.1915 in favour of one Mr.Damodhar



W.P.No.8380 of 2026

Iyengar, who was the then priest of the said temple vide document dated 2018 of 1915.

(b) As per the said settlement deed, a restricted endowment was granted in favour of the said Mr.Damodhar Iyengar and his heirs conferring possession of the subject properties only for cultivation purposes. Further, by the said settlement deed, it was also made clear that the proceeds from the subject properties were designated for payment of revenue dues, that the remaining funds were allocated for services to the said temple and that if the services to the said temple were not upto the mark, the possession of the said Mr.Damodhar Iyengar and his heirs would be forfeited. Instead, the petitioner's grandfather or his heirs or devotees were vested with the rights to retake possession from the said Mr.Damodhar Iyengar. Since then, the descendants of the said Mr.Damodhar Iyengar were performing poojas till 2005.

(c) In the year 2005, since one of the descendants of the said Mr.Damodhar Iyengar had some difficulty in performing the poojas, the possession of the subject properties was handed over to the petitioner and from then, the petitioner has been performing all the required poojas in



W.P.No.8380 of 2026

the temple from the agricultural income derived out of the subject properties.

(d) But, from the year 2013, respondents 2 and 3 were demanding that the subject properties should be vacated and the possession should be handed over to the third respondent. They also made a claim that the subject properties were notified under Section 4(1) of the Tamil Nadu Acquisition of Lands for Harijan Welfare Schemes Act, 1978 and the Notification was published in the Coimbatore District Gazette by the second respondent on 26.2.1996. Due to the disturbance caused by respondents 2 and 3, the petitioner temple was forced to file O.S.No.192 of 2014 on the file of the District Munsif Court, Coimbatore seeking permanent injunction against them. Thereafter, the said suit was transferred to the file of the District Munsif Court, Sulur and renumbered as O.S.No.516 of 2017. However, the said suit was dismissed on 29.9.2025. It appears that the first appeal filed before the Subordinate Court, Coimbatore is still pending.

(e) During the pendency of the civil proceedings, respondents 2 and 3 alleged that a show cause notice was issued to some beneficiaries and



W.P.No.8380 of 2026

they also participated in the proceedings and received the compensation.

It was also alleged by them that patta and allotment certificate were issued to more than 250 individuals. All these happened behind the back of the actual owners. The subject properties have not been taken possession so far and respondents 2 and 3 have not utilized the same for the purpose, for which, they were allegedly notified.

(f) Further, W.P.No.1942 of 2018 filed by the petitioner seeking a Declaration declaring that the entire land acquisition proceedings initiated under the Tamil Nadu Act 31 of 1978 in respect of the subject properties have lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. But, it was dismissed on 19.12.2023 granting liberty to the petitioner to work out their remedy in a manner known to law. According to the petitioner, respondents 2 and 3 have not complied with the mandatory provisions before ever notifying the subject properties for acquisition. Hence the writ petition.



WEB COPY

4. The learned Special Government Pleader appearing for respondents 1 to 4 submitted that the very same issue had already been adjudicated before this Court in the earlier writ proceedings relating to the very same survey numbers, that the earlier writ petition was dismissed on 19.12.2023 and that the very same issue has been raised in the present writ petition challenging the Gazette Notification.

5. This Court is in entire agreement with the submissions made by the learned Special Government Pleader appearing for respondents 1 to 4. The present writ petition is hit by the principles of *res judicata*. If at all the petitioner is aggrieved, it is open to the petitioner to work out the remedy only before the Division Bench and not under Article 226 of The Constitution of India. It is also brought to the notice of this Court by the learned Senior Counsel appearing on behalf of the petitioner that the subject properties were acquired as early as 1996, the order was passed by the District Collector, Coimbatore on 13.2.1996 and it was notified in the Coimbatore District Gazette on 26.2.1996. In the considered view of this Court, the present writ petition, having been filed in the year 2026, which



W.P.No.8380 of 2026

is after an inordinate lapse of three decades, suffers from delay and has to be thrown out on the ground of laches and therefore, the same deserves to be dismissed.

6. For the reasons afore-stated, the Writ Petition stands dismissed.

There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Nhs



W.P.No.8380 of 2026

WEB COPY

To

1. The Secretary,
The State of Tamil Nadu
Government, Adi Dravidar Welfare
Department, Fot St. George,
Chennai 600 009
2. The District Collector
Coimbatore District,
Coimbatore 641 018
3. The Special Tahsildar
Adi Dravidar Welfare,
Coimbatore Distract,
Coimbatore
4. The Assistant commissioner
Hindu Religious & Charitable
Endowment Board, Coimbatore



WEB COPY



W.P.No.8380 of 2026

M.DHANDAPANI, J.

NHS

**WP No. 8380 of 2026 &
WMP.Nos.9068 & 9122 of 2026**

05-03-2026

Page10 of 10