



W.P.No.10912 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.10912 of 2024

N.Lakshmi

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Department of Hindu Religious and
Charitable Endowments Board,
Secretariat, St.George Fort,
Chennai – 600 009.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Board,
119, Uthamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Board,
Nagapattinam Post – 611 001 & Taluk,
Nagapattinam District.

4.The Executive Officer,
A/m.Vedharaneeswarar Temple,
Vedaraniyam Post, 614 810 & Taluk,
Nagapattinam District.

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5.R.P.R.Vijayaraghavan

6.R.Padmavathy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd and 4th respondents to cancel the Kisth Receipt issued by the 4th respondent to the 5th and 6th respondents and possession to be handed over to the petitioner.

For Petitioner	:	Mr.S.N.Balasubramanian
For R1 to R4	:	Mr.K.Karthikeyan Government Advocate (HR & CE)
For R5 and R6	:	No appearance

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the 3rd and 4th respondents to cancel the Kisth Receipt issued by the 4th respondent to the 5th and 6th respondents and to hand over possession to the petitioner.

2.It is the case of the petitioner that her father Mr.Pandarinathan was having huge properties and he died in the year 1996 leaving behind the petitioner and other children namely, Ramakrishnan, Ramani, Usharani and

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Alamelu Mangai. It is the contention of the petitioner that, during the lifetime of her father, there was a partition among the brothers on 27.06.1979 by way of Partition Deed registered in Sub-Registrar's Office, Vedaraniyam of Nagapattinam District, with respect to certain properties. However, the petitioner's father had not made any arrangements with respect to the property relating to A/m.Vedharaneeswarar Temple, Vedaraniyam and he was all along enjoying the same with uninterrupted enjoyment. Thereafter, the petitioner's father executed a Varthamana Sale Deed in favour of the petitioner on 12.02.1996 in respect of A/m.Vedharaneeswarar Temple land in Survey Nos.94/1, 94/4 and 94/5 measuring an extent of 1 Acre 44 Cents.

3.While so, it is the grievance of the petitioner, the respondents 5 and 6, by creating documents, are trying to grab the property from the petitioner and they have somehow managed to get Kisth Receipt from the 4th respondent. Though the petitioner raised several complaints before the District Collector and other authorities, it was of no avail. Therefore, the petitioner has come forward with this writ petition to cancel the Kisth Receipt issued in favour of the respondents 5 and 6.



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4.Learned counsel for the petitioner would submit that the petitioner is holding the absolute rights in respect of the subject property by way of Varthamana Sale Deed dated 12.02.1996 executed by the petitioner's father in favour of the petitioner. Therefore, issuance of Kisth Receipt in favour of the brothers and sisters of the petitioner, is not in accordance with law and the same has to be cancelled and prayed for appropriate orders.

5.*Per contra*, the learned Government Advocate (HR & CE) appearing for the respondents 1 to 4, would submit that the property situated in Survey Nos.94/1, 94/4 and 94/5, measuring an extent of 1 Acre and 44 Cents, exclusively belong to the Temple and the petitioner has no right in the Temple property. The learned Government Advocate would submit that the petitioner has created the Varthamana Sale Deed for her convenience and hence, prayed for dismissal of the writ petition.

6.Heard the learned counsel on either side and perused the entire materials available on record.



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7.All these disputed question of facts cannot be adjudicated in a writ petition under Article 226 of the Constitution of India. If at all the petitioner wants to establish her right, it is for her to work out her remedy before the competent Civil Court for getting appropriate orders as against the 4th respondent and her brothers and sisters, but not by way of a writ petition.

8.Therefore, this writ petition is dismissed. No costs.

04.03.2026

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No

To

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M. DHANDAPANI, J.

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