



W.P.No.12813 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.12813 of 2023
And
W.M.P.No.12617 of 2023**

R.Paramasivam

... Petitioner

Vs.

- 1 The Secretary,
Hindu Religious and Charitable Endowment
Department,
St.George Fort,
Chennai.
- 2 The Collector,
Dharmapuri District,
Dharmapuri.
- 3 The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Nungambakkam High Road,
Chennai – 600 034.
- 4 The Joint Commissioner
Hindu Religious and Charitable Endowment
Department,
Salem.
- 5 The District Revenue Officer,
Dharmapuri District,
Dharmapuri.



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- 6 The Revenue District Officer,
Dharmapuri District.
 - 7 The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Dharmapuri.
 - 8 The Additional Principal Chief Conservator of Forests,
Dharmapuri Circle, Near District Collectorate,
Adiyaman Tree Park,
Dharmapuri.
 - 9 The District Forest Officer
Dharmapuri Division,
Near District Collectorate,
Dharmapuri.
 - 10 The Tahsildar,
Pennagaram Taluk Office,
Pennagaram,
Dharmapuri.
 - 11 The Executive Officer,
Arulmighu Muthurayan Swamy Temple,
Kattur Village, Nagamari Post,
Pennagaram Taluk,
Dharmapuri District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the ninth respondent impugned order in Se.Mu.A.No.10621/2022/T-2 dated 12.12.2022 and quash the same.



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For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.K.Karthikeyan
for R1, R3, R4, R7, R11
Government Advocate
Ms.V.Yamunadevi
for R2, R5, R6, R10
Mr.S.J.Mohamed Sathik
for R8, R9
Government Advocate (Forests)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records of the ninth respondent impugned order in Se.Mu.A.No.10621/2022/T-2 dated 12.12.2022 and quash the same.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the Trustee of Arulmighu Muthurayan Temple and doing agricultural work. The said Temple is situated in S.No.540/2 of Nagamarai Village, Pennagaram Taluk, Dharmapuri District under the control of Hindu Religious and Charitable Endowment Department, measuring about 10 Hectares and the land in S.No.540/2 is classified as Government Land (Tharisu) from 'A' Register Extract, however, the respondents 8 and 9 claim that the land in S.No.540/2 of Nagamarai



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Village is a Forest Land and the ninth respondent conducted auction for collecting parking charges for the vehicles coming to Arulmighu Muthurayan Temple and fixed to collect Rs.20/- as parking charges for two wheeler and Rs.50/- as parking charges for four wheeler and passed the impugned order which is not sustainable one.

3.The learned counsel appearing for the petitioner further submitted that earlier the Temple collected vehicle parking charges, however, the ninth respondent vide impugned order granted permission to the Forest Development Agency to collect the vehicle parking charges. The learned counsel further submitted that the petitioner is the Trustee of Arulmighu Muthurayan Temple and the Temple alone is entitled to collect vehicle parking charges.

4.The learned Government Advocate appearing for the Hindu Religious and Charitable Endowment Department submitted that the petitioner may be the Trustee of the subject Temple, however, the land in which the Temple is situated is Reserve Forest Land belonging to the Forest Department, thereby, the Forest Department passed the impugned order, which warrants no interference.



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5.The learned Government Advocate appearing for the Forest Department submitted that the Government issued G.O.(Ms) No.11 Environment and Forests (FR.5) Department dated 08.02.2018, revising the entrance fee for individuals, vehicles, hire charges for elephant ride, photography permission with respect to the Tiger Reserves, National Parks, Wildlife Sanctuaries and Bird Sanctuaries etc from 12.02.2018 and also directed that fee for entry and parking the vehicles, an additional fee besides entrance fee shall be levied for entry of vehicle into the protected area, which includes the Temple situated in Forest Land.

6.The learned Government Advocate appearing for the Forest Department further submitted that guidelines for implementation of Joint Forest Management (JFM) and Strengthening of Participatory of Joint Forest Management Mechanism in Tamil Nadu was issued by the Principal Chief Conservator of Forests on 13.11.2024 as per which, Forest Development Agency (FDA) is the umbrella organization at the division level and will act as the federation of all community based organization such as ETMC / EDC etc., for the purpose the FDA will be formed on the basis of G.O.Ms.No.198, Environment and Forests (FR.VI) Department dated 13.12.2001. Each territorial forest division,



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wildlife division, SF division, research division will have a FDA which serve as a division forest development agency to coordinate, monitor and guide the community engagement, conservation and management in the respective divisions.

7.The learned Government Advocate appearing for the Forest Department further submitted that in Eco Tourism Committee (ETMC), the charges for the various ecotourism services including entry fees, voluntary conservation fee etc., will be decided by the District / Divisional Forest Officer and communicated to the ETMCs, the funds generated will be directly credited to FDA and FDA will inturn allocate operational and maintenance cost to ETMCs and further submitted that there is mechanism available for utilizing the funds collected for the development of Forests. Hence, the apprehension of the petitioner cannot be entertained.

8.Heard the arguments advanced on either side and perused the materials available on record.

9.The petitioner is the Trustee of Arulmighu Muthurayan Temple and the said Temple is situated in S.No.540/2 of Nagamarai



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Village, Pennagaram Taluk, Dharmapuri District under the control of Hindu Religious and Charitable Endowment Department, measuring about 10 Hectares and according to the petitioner the land in S.No.540/2 is classified as Government Land (Tharisu) from 'A' Register Extract, however, the respondents 8 and 9 claim that the land in S.No.540/2 of Nagamarai Village is a Forest Land.

10.The grievance of the petitioner is that earlier the Temple collected vehicle parking charges, however, the ninth respondent vide impugned order granted permission to the Forest Development Agency to collect the vehicle parking charges.

11.Perusal of records reveal that guidelines for implementation of Joint Forest Management and Strengthening of Participatory of Joint Forest Management Mechanism in Tamil Nadu was issued by the Principal Chief Conservator of Forests on 13.11.2024 as per which, Forest Development Agency is the umbrella organization at the division level and will act as the federation of all community based organization such as ETMC / EDC etc., for the purpose the FDA will be formed on the basis of G.O.Ms.No.198, Environment and Forests (FR.VI) Department dated 13.12.2001. Each territorial forest



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division, wildlife division, SF division, research division will have a FDA which serve as a division forest development agency to coordinate, monitor and guide the community engagement, conservation and management in the respective divisions.

12.Perusal of records further reveal that in Eco Tourism Committee, the charges for the various ecotourism services including entry fees, voluntary conservation fee etc., will be decided by the District / Divisional Forest Officer and communicated to the ETMCs, the funds generated will be directly credited to FDA and FDA will inturn allocate operational and maintenance cost to ETMCs. Further, there is mechanism available for utilizing the funds collected for the development of Forests.

13.In view of the above, the impugned order warrants no interference. The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

05.03.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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