



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

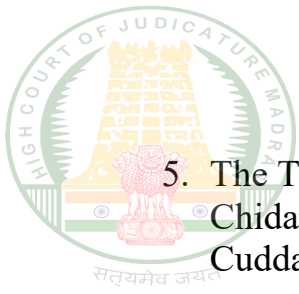
WP No. 17210 of 2026

Santhakumari,
W/O.Rengarajan,
Manalvettuthuru,
Pichavaram,
Chidambaram Taluk,
Cuddalore District.

..Petitioner(s)

Vs

1. The Commissioner,
Hindu Religious and charitable Endowments
Department,
No.119,Uthamar Gandhi Salai,
Nungambakkam, Chennai
Tamilnadu-600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
No.8, River Side Road,
Pudupalayam, Cuddalore District.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Sub Jail Road, Manjakuppam
Cuddalore District.
4. The Executive Officer,
Arulmigu Kutty Andavar Temple,
Hindu Religious and Charitable Endowments
Department, Pitchavaram,
Chidambaram, Cuddalore District



5. The Tashildar,
Chidambaram Taluk,
Cuddalore District.

6. The Inspector of Police,
Office of the Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, to direct the 2nd, 3rd and 4th respondents to conduct a proper and fair enquiry strictly in accordance with Section 78 of the Hindu Religious and Charitable Endowments Act, 1959, by following the due process of law, within the time stipulated by this Honble Court and pass a consequential direction restraining the 4th respondent and his subordinates from interfering with the petitioner's peaceful possession and enjoyment of the property in Survey No.142/2A and 142/2B, Pichavaram Revenue Village, Chidambaram Taluk, Cuddalore District except through lawful procedure.

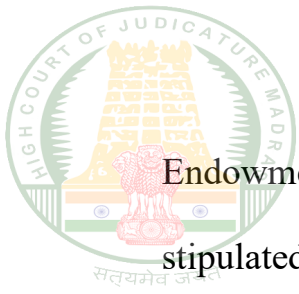
For Petitioner(s): Mr.M.Maharaja

For Respondent(s): Mr.D.Yashwanth Rajan
Government Advocate (HR & CE)
for R1 to R4

Mr.B.Pachaiyappan
Government Counsel for R5

ORDER

This Writ Petition has been filed seeking issuance of writ of mandamus, to direct the 2nd, 3rd and 4th respondents to conduct a proper and fair enquiry strictly in accordance with Section 78 of the Hindu Religious and Charitable



Endowments Act, 1959, by following the due process of law, within the time stipulated by this Honble Court and pass a consequential direction restraining the 4th respondent and his subordinates from interfering with the petitioner's peaceful possession and enjoyment of the property in Survey No.142/2A and 142/2B, Pichavaram Revenue Village, Chidambaram Taluk, Cuddalore District except through lawful procedure.

2. The learned counsel for the petitioner would submit that he is in possession and enjoyment of the property by purchasing the same vide sale deed of the year 1988. Under these circumstances, the respondents taking steps to evict the petitioner without following the due process of law. He would fairly submit that in the event if the respondents come to a conclusion that the petitioner is an encroacher, they suppose to evict the petitioner by following the procedure of law under Section 78 of the Hindu Religious & Charitable Endowments Act and without following the procedure of law, they are not entitled to take steps against the petitioner.

3. The learned counsel for the official respondents would submit that in the event if the respondents consider that the petitioner is an encroacher, the respondents shall evict the petitioner by following the due process of law under Section 78 of the Hindu Religious & Charitable Endowment Act.



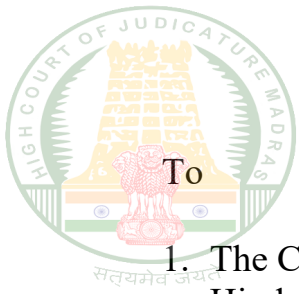
4. In such view of the matter, this Court directs the respondents to take steps against the petitioner by following the due procedure of law under Section 78 of the Hindu Religious and Charitable Endowments Act, in the event if the respondents come to the conclusion that the petitioner is an encroacher.

5. This Writ Petition is disposed of with the above terms. No costs.

03-06-2026

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

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To

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KRISHNAN RAMASAMY, J.

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