



W.P.No.17352 of 2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 10.02.2026**

**CORAM:**

**THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM  
AND  
THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN**

**W.P.No.17352 of 2021**

**Mr.Kalaiarasan,  
S/o.Natarajan**

**...Petitioner**

**Vs.**

- 1. The Secretary,  
Tourism, Culture and Religious Endowments Department,  
Government of Tamil Nadu,  
Fort St.George, Chennai – 600 009.**
- 2. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Government of Tamil Nadu,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam, Chennai – 600 034.**
- 3. The District Collector,  
Chennai District,  
Sigaravelar Maligai,  
Chennai – 600 001.**
- 4. The Tahsildar,  
Ayanavaram Taluk,  
Chennai – 600 023.**
- 5. The Executive Officer,  
Arulmigu Devi Paliamman and Ilangaliamman Thirukovil,  
Villivakkam, Chennai – 600 049.**

**...Respondents**



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to remove the encroachment made by the respondents in a private patta land measuring about 40817 sq.ft comprised in Survey No.132/3 Part and T.S.No.130, Block No.50 of Konnur Village, Ayanavaram Taluk, Chennai.

**For Petitioner : Mr.S.Shanmuga Sundaram**

**For Respondents : Mr.S.Ravichandran  
Additional Government Pleader  
[R1 to R4]  
Mr.D.R.Sivakumar [R5]**

**Order**

**[Order of the Court was made by C.KUMARAPPAN, J.]**

The present writ petition has been filed directing the respondents to remove the encroachment made by the respondents in a private patta land measuring about measuring about 40817 sq.ft comprised in Survey No.132/3 Part and T.S.No.130, Block No.50 of Konnur Village, Ayanavaram Taluk, Chennai.

2. The learned counsel appearing for the petitioner would submit that the subject property belongs to private individuals and they have got patta over the property. It was further contended that the respondents viz., the temple



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authorities and the Government have encroached upon the petitioner's property and such encroachment is to be removed.

3. Such statement was stoutly objected by the learned Additional Government Pleader and would contend that these properties are belong to the temple as well as to the Government and that the patta stands in the name of the temple. Therefore, it is evident that there are seriously disputed question of facts involved in the present proceedings. Whenever disputed questions regarding to title arise, a trial nature proceedings is essential and such disputed facts cannot be decided in a writ proceedings.

In view of the same, we do not find merits to entertain this writ petition and accordingly, this writ petition stands dismissed. No costs. However, liberty is given to the petitioner to approach the Civil Court, if he is advised to do so.

[S.M.S., J.] [C.K, J.]

10.02.2026

mp

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

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**S.M.SUBRAMANIAM, J.**  
**AND**  
**C.KUMARAPPAN, J.**

mp

To

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Fort St.George, Chennai – 600 009.
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