



WEB COPY

W.P.No.15232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.15232 of 2024

P.Duraisamy

... Petitioner

Versus

**1.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Collector Office compound,
Nammakkal.**

**2.The Executive Officer,
Arulmigu Kailasanathar and Badrakaliamman
Thirukoil,
Kottaimedu, Kumarapalayam Town & Taluk,
Namakkal District.**

..... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to enjoy Arulmigu Kailasanathar and Badrakaliamman Thirukoil, Kottaimedu, Kumarapalayam Town & Taluk, Namakkal District temple properties situated in S.Nos.315 & 11 at Kumarapalayam Agraharam Village to the extent of 12.04 Acre by considering the petitioner's petition dated 03.06.2024 and consequently direct to the representations not to vacate the petitioner without any due process of law within the time framed by this Court.

**For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.K.Karthikeyan
Government Advocate (Crl.side)**

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ORDER

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This Writ Petition is filed for a Mandamus directing the respondents to permit the petitioner to enjoy the properties of Arulmighu Kailasanathar and Badrakaliamman Thirukoil, Kottaimedu, Kumarapalayam Town & Taluk, Namakkal District, situated in S.Nos.315 & 11 at Kumarapalayam Agraharam Village, measuring to an extent of 12.04 acres by considering the petitioner's petition dated 03.06.2024 and for a consequential direction to the respondents not to vacate the petitioner without any due process of law.

2. The petitioner claims to have right to perform pooja to the Temple, namely, Arulmigu Kailasanathar and Badrakaliamman Thirukoil by their family members from time immemorial. While so, all of a sudden, on 02.12.2023, the 2nd respondent affixed notice in the Temple notice board informing that the temple properties which are being enjoyed by the petitioner's family members for performing poojas to be auctioned on 19.12.2023. After protest, the respondents kept in silence. Once again on 27.05.2024, the 2nd respondent affixed notice stating that the temple properties to be auctioned on 12.06.2024, without obtaining any



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permission from the 1st respondent or the Joint Commissioner. In this regard, the petitioner sent a representation on 03.06.2024 to the respondents requesting not to take any coercive steps. According to the petitioner, since the said lands are agricultural lands, as per Section 4 of the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961, HR& CE should not auction the agricultural land. Since no action was taken on his representation dated 03.06.2024, the petitioner has filed the present writ petition.

3. Heard the learned counsel for the parties and perused the materials.

4. Considering the limited prayer sought for, this Court without going into the merits, directs the first respondent to consider the petitioner's representation dated 03.06.2024 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

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Index ; Yet No

Internet: Yes / No

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M.DHANDAPANI, J.,

SSB

To

1.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Collector Office compound,
Namakkal.

2.The Executive Officer,
Arulmigu Kailasanathar and Badrakaliamman Thirukoil,
Kottaimedu, Kumarapalayam Town & Taluk,
Namakkal District.

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