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WP No. 27801 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 27801 of 2023
and W.M.P.No.27301 of 2023**

C.Rajendran

...Petitioner

Vs

1. 1.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
119, Nungambakkam High Road,
Chennai-600 034.
- 2.The District Collector,
Erode District,
Erode.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Chinnamuthu Veethi,
Near Trust Hospital,
Erode.
- 4.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Brough Road,
Erode.
- 5.The Tahsildar,
Taluk Office,
Erode-1.



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6.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Padaiveerar Maligai,
Gandhiji Road,
Erode-638 001.

7 7.The Executive Officer/Thakkar,
Arulmighu Poonachiamman Temple,
Having office at Arulmighu Kongalamman
Thirukovil,
No.72, Kongalamman Kovil Veethi,
Manikoondur,
Erode-638 001,
Erode District.

8.Pappayammal

2.
2.

...Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.2374/2017 Uoo3 dated 24.07.2023 and quash the same and consequently, direct the respondents 1 to 7 to restore the temple lands comprised in S.Nos.136/1 and 136/2 of Kathiramapatti Village back to Ullur Ponnatchiamman Temple.

For Petitioner :

Mr.S.Kaithamalai Kumaran

For Respondents :

Mr.K.Karthikeyan
Government Advocate
for R1, R3, R6 and R7



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Mr.T.M.Rajangam
Government Advocate
for R2, R4 and R5
Mr.S.Varsha Premchandar
for R8

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent in Na.Ka.No.23747/2017 Uoo3 dated 24.07.2023 and for a consequential direction to the respondents 1 to 7 to restore the temple lands comprised in S.Nos.136/1 and 136/2 of Kathirampatti Village back to Ullur Ponnatchiamman Temple.

2. The petitioner is a devotee of Arulmighu Poonachiamman Temple, Kathirampatti Village, Erode Taluk. As per the revenue records, the land comprised in Survey Nos.136/1 and 136/2 of Kathirampatti Village was a Devadayam Land. In the Survey and Re-Settlement Register of the Village of Kathirampatti No.44, Erode Taluk, then Coimbatore District now Erode District, the name of Ullur Ponnatchiamman Temple was recorded as the Pattadar which was represented by its priests K.Chinnandi and three others. Therefore, the title of the property vested with the idol of the Temple and the



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priests were granted only service Inam. It is the claim of the petitioner that the priests are entitled to be in possession of the property as long as they render service to the Temple and not entitled to claim absolute title or alienate the property. The aforesaid Inam Survey Nos.136/1 and 136/2 were assigned with Survey Nos.175/1 and 175/2. However, now the revenue records show that in respect of the aforesaid lands, lands have been mutated in the names of several individuals. Therefore, aggrieved by the same, the petitioner sent a representation to the respondents, pursuant to which, enquiry was conducted. However, the fifth respondent did not take any steps to submit the enquiry report and nothing moved thereafter. The petitioner again sent a representation in the year 2019 which was also not considered. Therefore, in the interest and welfare of the Temple as well as deity, the petitioner again sent a reminder in the year 2021. Pursuant to the same, the fourth respondent directed the fifth respondent to take appropriate action and submit a report. However, no action was taken. Aggrieved by the inaction, the petitioner has filed W.P.No.10899 of 2022 which was disposed of by this Court directing the respondents to dispose of representation of the petitioner. Since the respondents did not comply with the order of this Court, the petitioner filed Contempt Petition No.482 of 2023. Only thereafter, the second respondent has passed the impugned order dated



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24.07.2023, wherein, the request of the petitioner was rejected and the petitioner was directed to move the Settlement Tahsildar by filing an appeal. Aggrieved by the same, the petitioner filed this writ petition.

3. The learned counsel appearing for the petitioner challenges the impugned order on the ground that the second respondent failed to consider the proceedings of the fourth respondent dated 11.10.2017 and pursuant to the enquiry, no report was filed. That apart, the second respondent has failed to consider the lands belonging to the Temple and some third parties were given patta by the seventh respondent which shows that there are irregularities and those pattas were issued behind the back of the Temple and HR & CE Department and therefore, the inaction on the part of the respondents is against the interest and welfare of the Temple and hence, the same is to be interfered with by this Court.

4. The learned Government Advocate appearing for the respondent Nos.1,3, 6 and 7 submits that a Settlement Patta was granted by the Settlement Tahsildar vide order dated 14.09.1970 in favour of Chennimalai Gounder, Parvathammal, Minor Manimekhalai, Minor Malarkodi represented



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by their guardian mother, namely, Parvathammal, Karuppayiammal and Rangasamy. However, the said order was not challenged either by the petitioner or by HR & CE Department in the manner known to law and subsequently, regular patta was issued by the Tahsildar in favour of beneficiaries.

5. Recording the submission made by the Government Advocate appearing for the respondent Nos.1,3, 6 and 7, this Writ Petition is dismissed with liberty to the Petitioner, Temple and the Hindu Religious and Charitable Endowments Department to work out the remedy in the manner known to law. There shall be no order as to costs. Connected miscellaneous petition is closed.

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

ssb



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