



W.P.No. 36568 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

**W.P.No.36568 of 2024**

**and**

**W.M.P.No.39430 of 2024**

L.KUPPUSAMI

...Petitioner

Vs.

1. THE COLLECTOR  
CUDDALORE DISTRICT, CUDDALORE.
- 2 THE REVENUE DIVISIONAL OFFICER  
CUDDALORE.
- 3 THE TAHSILDAR  
KURINJIPADI KURINJIPADI TALUK CUDDALORE  
DISTRICT.
- 4 THE BLOCK DEVELOPMENT OFFICER  
VILLAGE PANCHAYATS KURINJIPADI KURINJIPADI  
TALUK CUDDALORE DISTRICT.
- 5 THE PRESIDENT  
KURINJIPADI PANCHAYAT KURINJIPADI TALUK  
CUDDALORE DISTRICT.

...Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from putting up any construction in S.No.134/2 Ac.1.78 of Hec.0.68.5 in Kannadi Village, Kurinjipadi Taluk, Cuddalore District, without following the due process of law.



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For Petitioner : Mr.D.Baskar  
For Respondents 1 to 3 : Mr.P.Kumaresan AAG  
Asst. by Ms.R.L.Karthika GA  
For Respondents 4 & 5 : Ms.E.Ranganayaki  
Government Advocate

**Order**

Heard Mr.D.Baskar, learned counsel appearing for the petitioner,  
Mr.P.Kumaresan, learned Additional Advocate General assisted by  
Ms.R.L.Karthika, learned Government Advocate for respondents 1 to 3 and  
Ms.E.Ranganayaki, learned Government Advocate for respondents 4 and 5.

2. This Writ Petition is filed seeking for the following prayer:-

i) For issuance of a mandamus forbearing the respondents from putting up any construction in S.No.134/2 Ac.1.78 or Hec.0.68.5 in Kannadi Village, Kurinjipadi Taluk, Cuddalore District without following the due process of law.

3. Learned counsel for the petitioner would submit that the Temple, called 'Ayyanar Temple' is a small Temple being taken care of by the petitioner for several decades; that all the Revenue Records also stand in the name of the said Temple; that now the respondents are attempting to convert the space around the Temple into a Playground without following the due process of law, hence, the learned counsel seeks for appropriate direction.

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4. The learned State Counsel for the respondents would fairly submit that the place where, the respondents intends to form a Play Ground is far away from the Temple, in respect of which, the petitioner claims right and that the respondents does not have any intention to acquire or utilize the petitioner's land, even if such land is required for formation of a Playground or for any other purpose, in future, the same would be acquired by the respondents by following due process of law and hence, she prays for appropriate direction to be issued in that regard.

5. I have given due considerations to the submissions made on either side and perused the materials placed on record.

6. The grievance of the petitioner is that the subject land, morefully described in the prayer of this Writ Petition has been put to use by the villagers surrounding that area as a Place of Worship of a God, viz., 'Iyanar' for years together. The petitioner claims to be an Idolater of the said Temple, as he has been lighting lamp for the said Temple for several decades. Since the respondents have come out with a proposal to acquire the land, which is appurtenant to the petitioner's Temple land for formation of a Playground,

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the petitioner has filed the present Writ Petition to restrain the respondents from putting up or raising any construction in the said land since any construction takes place, the same would cause much inconvenience to the deities, who comes to worship the God, for, except the said space, there is no other space left for the deities to have free access for reaching the Temple land and that apart, the said land is utilized for various kinds of worship during festival seasons.

7. *Per contra*, the learned State Counsel for the respondents would aver that the petitioner is an encroacher. There is no Temple as claimed by the petitioner in the subject property, as there is no superstructure or Minaret raised round the so-called Temple, except a thatched shed, where, lies a Stone, in which, the picture of Lord Iyanar has been carved out. However, when this Court condemn the learned State Counsel not to make submissions affecting the sentiments of the public, she came out with a fair statement that the place, where, the respondents have proposed to form a Playground is far-off from the petitioner's Temple Land. Further, the formation of a Playground under the name and style, 'Namma Ooru Vilaiyaattu Thidal' is to benefit the children to encourage sports activities, and by putting up the



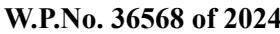
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same in the proposed land will in no way cause any hindrance or obstacle for the worshippers to reach the Temple land.

8. Further, the learned State Counsel also in compliance of the earlier direction issued by the learned Predecessor Judge on 12.12.2024, produced the proceedings bearing Na.Ka.No.A1/2778/2024 dated 27.03.2025 of the Revenue Divisional Officer, Kurinjikudi addressed to the Government Pleader Office, High Court, for perusal before this Court wherein, it is seen that 1) the land, measuring to an extent of 1 cents is in occupation of the Temple; 2) the land, measuring 16.5 cents is required by the respondents for formation of a Playground; 3) 18.5 cents extent of land is encroached by the petitioner for cultivation purpose and 4) 133 cents extent of land is remaining vacant and therefore, sought for appropriate direction.

9. Thus, this Court taking into consideration of the aforesaid facts and circumstances of the case, is inclined to dispose of the Writ Petition with the following orders/directions:-

i) The respondents are directed to allotted the land, measuring an extent of 18.5 cents to the petitioner, who acts as Idolator of the Temple, even assuming the petitioner to be Encroacher, as alleged by the



ii) The respondents shall not interfere with the peaceful possession over the said 18.5 cents of the Temple-Land.

iii) So far as the remaining extent of land, measuring about 150.5 cents, the same shall be utilised by the respondents for formation of a Playground.

iv) In the event, the petitioner has put up a construction or superstructure in the remaining extent of land, ie. 150.5 cents of land, the respondents are at liberty to remove such encroachment and if the petitioner is creating any problem for such removal, the respondents shall initiate appropriate action against the petitioner.

v) It is made clear that the land, measuring to an extent of 18.5 cents alone shall be allocated to the Temple called 'Iyanar Temple' and remaining 150.5 cents shall be utilized by the respondents for their playground project. Neither the respondents shall acquire more than 150.5cents nor the petitioner shall encroach upon more than 18.5. cents of land.

**10.** This Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

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Neutral Citation : yes/no

To

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**Krishnan Ramasamy,J.,**

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