



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 39060 of 2024
and WMP.No.42309 of 2024**

K.Vittobai
W/o.M.G.Lakshmipathy, No.63/1, Reddy Street,
Athur, Chengalpet Taluk And District.

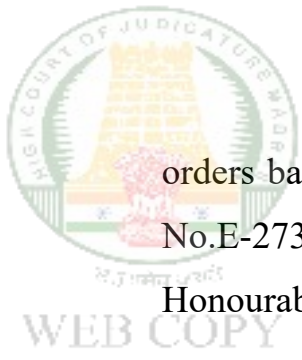
..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious And Charitable Endowment
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner
Hindu Religious And Charitable Endowment
Department, Kancheepuram.
3. The Executive Officer
A/m.Kalyana Varatharajaswamy Thirukoil,
Athur, Chengalpet Taluk And District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, calling for the entire records of the 3rd respondent herein in connection with impugned public auction notice issued by the 3rd respondent herein for the fasali 1434 scheduled on 02.01.2025 at 11.00 A.M and quash the serial No.19 in respect of the petitioners land of an extent of 0.29 cents comprised in survey No.835B/3 of Athur Village, Chengalpet Taluk and District and further direct the 3rd respondent herein to enquire and pass



orders based upon the direction issued by the 2nd respondent herein in Na.Ka. No.E-2733/ 2024/ E1 dated 21.11.2024 within a time stipulated by this Honourable Court.

For Petitioner(s): Mr.N.Velmurugan

For Respondent(s): Mr.S.Ravichandran, AGP (HR And CE)
For R1 To R3

ORDER

Challenging the impugned public auction notice issued by the third respondent herein for the fasali 1434 scheduled on 02.01.2025 at 11.00 A.M and to quash the serial No.19 in respect of the petitioner's land of an extent of 0.29 cents comprised in survey No.835B/3 of Athur Village, Chengalpet Taluk and District, the present Writ Petition has been filed. Further, the petitioner has sought for a direction to the third respondent herein to enquire and pass orders based upon the direction issued by the second respondent herein in Na.Ka. No.E-2733/ 2024/ E1 dated 21.11.2024, within a time frame as fixed by this Court.

2. Heard the learned counsels appearing on either side.

3. The brief facts of the case is as follows:

3.1. The exchange deed was entered between one J.Kuppusamy Reddiyar



and the third respondent temple in the year 1959, for which, Kuppusamy Reddiyar got the title of the land to an extent of 30 cents in Survey No.835B/3 [previously Survey No.835B/2] which was purchased by the petitioner on 16.04.1968 and thereafter, the petitioner is in absolute possession of the subject property and chitta falls in his name, however patta has not been mutated and the name transfer application for the same is pending. Since the subject land falls in the name of the third respondent temple, the third respondent brought it for public auction in the year 2023 but the same was cancelled. The petitioner made several representation to cancel the land in the future auction list and to issue NOC for name transfer for patta but there was no response. While so, the third respondent has again brought the subject land for auction on 02.01.2025. Aggrieved by the same, the present Writ Petition.

4. The learned counsel for the petitioner submitted that despite the direction of the second respondent dated 21.11.2024 to take action in this regard, the second respondent has not implemented his direction. He further submitted that this Court may issue a direction to the third respondent to conduct an enquiry in this regard and file a report to the second respondent so to enable him to pass appropriate orders.

5. Considering the facts and circumstances of the case and also taking note of the submissions of the learned counsel for the petitioner, this Court



directs the third respondent to conduct an enquiry in the subject issue after providing due opportunity to the petitioner and forward the report to the second respondent as per his letter dated 21.11.2024, within a period of four weeks from the date of receipt of a copy of this order and upon receipt of the report from the third respondent, the second respondent is directed to decide the petitioner's application on merits and in accordance with law, within a period of six weeks therefrom. Till such time, the respondents are directed not to take any coercive steps in respect of the petitioner's land to an extent of 0.29 cents comprised in survey No.835B/3 of Athur Village, Chengalpet Taluk and District.

6. With the above directions, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

04-03-2026

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

DP



To

1. The Commissioner
Hindu Religious And Charitable Endowment
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner
Hindu Religious And Charitable Endowment
Department, Kancheepuram.
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M.DHANDAPANI, J.

DP

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