



W.P.No.41942 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2026

CORAM

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.41942 of 2025

R. Raja
S/o.Ramasamy
No.16b,Thirowpathy Amman Temple
Sothupakkam, Chengalpet District
Pincode-603 319.

Petitioner(s)

Vs

The Commissioner
Hindu Religious And Charitable
Endowment Board
Chennai-34
and 4 others

Respondent(s)

For Petitioner(s): Mr. G.Sri Venkatesh

For Respondent(s): Mr.N.R.R.Arun Natarajan
Spl. Govt. Pleader (HR&CE)
for R1, R4 & R6
Mr.K.Karthik Jagannath
Government Advocate for R2 & R3
Mr.P.Srinivas
Standing Counsel for R5



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The matter has been listed today under the caption “for being mentioned” at the instance of the Registry pointing out typographical errors that crept in the order dated 23.03.2026.

2. The following errors in the order dated 23.03.2026 are brought to our notice:

(a) In the cause-title, 6th respondent was not shown and 7th respondent was shown as 6th respondent;

(b) In paragraph 4, only 7th respondent was impleaded and not 6th respondent; and

(c) In paragraph 5, direction has been issued to 7th respondent and not 6th respondent.

3. Learned State counsel submits that they have filed only status report and not counter affidavit, as stated in paragraph 5.



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4. Accordingly, the following modifications shall be made in the order dated 23.03.2026:

(i) The Inspector, Hindu Religious and Charitable Endowments Board, Arulmigu Subramaniya Swamy, Maduranthakam, Chengalpet, shall be shown as 6th respondent in the cause-title;

(ii) The words "6th respondent" shall be replaced with "7th respondent" in paragraphs 4 and 5; and

(iii) The words "counter affidavit" shall be replaced with "status report" in paragraph 5.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
07.04.2026

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DATED: 23-03-2026

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THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No. 41942 of 2025

R. Raja
S/o.Ramasamy, No.16b,
Thirowpathy Amman Temple, Sothupakkam,
Chengalpet District, Pincode-603 319

..Petitioner

Vs

1. The Commissioner
Hindu Religious And Charitable Endowment
Board, Chennai-34.
2. District Collector
Chengalpet-603 001
3. Revenue Divisional Officer
Maduranthakam-603 306
4. Assistant Commissioner
Hindu Religious And Charitable Endowment
Board, Chengalpattu
5. The Commissioner
Maduranthakam Municipality,
Maduranthakam.
6. The Joint Commissioner
Hindu Religious and Charitable Endowments
Department, Kanchipuram.
(R6 suo-motu impleaded as respondent



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by order dated 23.03.2026)

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..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to remove the encroachments over the survey Number 972/1 measuring 0.53.5 hectors at Maduranthakam town and Taluk, chengalpattu District, consequently to restore the pond (kulam)in the said survey number in its original style.

For Petitioner :	Mr. G.Sri Venkatesh
For Respondent(s):	Mr. N.R.R.Arun Natarajan Special Government Pleader (HR & CE) For R1, R4 And R6. Mr. K. Karthik Jagannath Government Advocate For Rr2 And R3. Mr. P. Srinivas Standing Counsel For R5.

Order

(Order of the Court was made by The Chief Justice)

Heard learned counsel for the parties.

2. This writ petition, styled as public interest litigation, has been filed under Article 226 of the Constitution of India seeking for a direction to the respondents to remove the encroachments over the survey Number 972/1 measuring 0.53.5 hectares at Maduranthakam



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town and Taluk, chengalpattu District, consequently to restore the pond (kulam) in the said survey number in its original style.

3. The fourth respondent has filed a counter affidavit, in which it is stated that survey was conducted by the temple authorities and it is ascertained that 27 persons have encroached part of the temple tank by erecting permanent structures. The Assistant Commissioner, HR and CE Department has sent a report dated 15.12.2025 to the Joint Commissioner, Kanchipuram with the details of encroachments and to take eviction proceedings under Section 78 of the HR and CE Act. The Joint Commissioner, Kanchipuram has taken proceedings under Section 78 and issued summons dated 18.12.2025 to all the encroachers and necessary steps have already been initiated as per law against all the encroachments made in and around the temple tank.

4. In view of the aforesaid, the Joint Commissioner, HR and CE Department, Kanchipuram is suo-motu impleaded as 6th respondent in this writ petition. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader accepts notice on behalf of the newly impleaded



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6th respondent.

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5. In view of the counter affidavit filed by the 4th respondent, the 6th respondent is directed to complete the enquiry proceedings under Section 78 of the HR and CE Act as expeditiously as possible, preferably within a period of six (6) months from today, after affording an opportunity of hearing to all concerned.

6. With the above directions, this writ petition is disposed of.
There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN J.)

23-03-2026

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

KST



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To

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1. The Commissioner
Hindu Religious And Charitable Endowment
Board, Chennai-34.
2. District Collector
Chengalpet-603 001
3. Revenue Divisional Officer
Maduranthakam-603 306
4. Assistant Commissioner
Hindu Religious And Charitable Endowment
Board, Chengalpattu
5. The Commissioner
Maduranthakam Municipality,
Maduranthakam.
6. The Joint Commissioner
Hindu Religious and Charitable Endowments
Department, Kanchipuram.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN J.

KST

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23-03-2026