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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 47691 of 2025

Arulmigu Pillaiyar Thirukovil
Rep By Its Trustee
Ayyam Perumal,
S/o. Muthusamy,
Thimmapuram Village,
Chinna Salem Taluk,
Kallakurichi District

..Petitioner(s)

Vs

1. The District Collector
Office Of The District Collector,
Kachirampalayam Road, Kallakurichi District
606 202.
2. The District Revenue Officer,
Office Of The District Revenue Officer, Office
Of The District Collector, Kachirampalayam
Road,
Kallakurichi District - 606 202.
3. The Revenue Divisional Officer,
Office Of The Revenue Divisional Officer,
Kachirampalayam Road,
Kallakurichi District - 606 202
4. The Taluk Tahsildar,
Office Of The Taluk Tahsildar,
Kachirampalayam Road, Kallakurichi District,
Chinna Salem Taluk,
Kallakurichi District
5. The Village Administrative Officer,
Office Of The Village Administrative Officer,
Thimmapuram Village,



Chinna Salem Taluk,
Kallakurichi District

6. The Assistant Commissioner,
Office Of The Assistant Commissioner,
Hindu Religious And Charitable Endowments,
Kallakurichi District
7. The Joint Commissioner,
Office Of The Joint Commissioner,
Hindu Religious And Charitable Endowments,
Villupuram
8. The Inspector Of Police,
Chinna Salem,
Kallakurichi District
9. The Superintendent Of Police,
Office Of The Superintendent Of Police,
Kallakurichi District
10. P.Ramesh,
11. R.Manigandan,
12. L. Chinnadurai
13. M. Chakravarthi
14. M. Thangavel
15. Indira
16. N. Venkatesan
17. A. Muthu
18. A. Suseela
19. P. Jothi
20. A. Kolanji
21. A. Pownammal
22. M. Muthulingam



23. R. Pounraj

24. A. Nallathambi

25. V. Subramaniyan

26. M. Paranthaman

27. K. Kasi

28. S. Kasi

29. K. Arul,

30. L. Vyapuri

31. K. Ramalingam

32. L. Periyasamy

33. R. Periyasamy,

34. S. Arumugam,

35. M. Thangavel

36. S. Vishnumani

37. C. Periyasamy

38. K. Srinivasan,

39. S. Rajendran,

40. P. Dharman

41. R. Rajendran

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India
issuing writ of mandamus directing the 1st to 7th Respondents to remove the
encroachment made by the private Respondents 10 to 41 in Survey Nos.67/1,



67/3 to 67/30 situated at Thimmapuram Village, Chinna Salem Taluk, Kallakurichi District as per the Order dated 10.01.2025 passed in M.P. No. 19 of 2024 by the 7th Respondent by availing necessary assistance of the 8th and 9th Respondents in the event of any obstruction from the encroachers and further direct the Official Respondents 1 to 4 not to issue Patta to the Private Respondents 10 to 41, based on the Petitioner's representation dated 06.10.2025 within a time frame to be stipulated by this Court.

For Petitioner(s): Mr.Siddarth Sridhar
for Mr. R. Bharath Kumar

For Respondent(s): Mr. T. Arun Kumar
Additional Government Pleader For Rr1 To 5
Mr.E.Sundaram
Government Advocate
for Mr.N.R.R.Arun Natarajan
Special Government Pleader for R6 & 7
Mr.M.Banu Muthumeeran
Additional Public Prosecutor for R8 & 9
NA for R10-41

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ Petition has been instituted seeking direction to 1st to 7th Respondents to remove the encroachment made by the private Respondents 10 to 41 in Survey Nos.67/1, 67/3 to 67/30 situated at Thimmapuram Village, Chinna Salem Taluk, Kallakurichi District as per the Order dated 10.01.2025 passed in M.P. No. 19 of 2024 by the 7th Respondent by availing necessary assistance of the 8th and 9th Respondents in the event of any obstruction from the encroachers and further direct the Official Respondents 1 to 4 not to issue Patta to the Private Respondents 10 to 41, based on the Petitioner's representation dated 06.10.2025 within a time frame.



2. Learned counsel for the petitioner would submit that petitioner is a temple, and the properties belonging to the temple are under encroachment. Several representations are submitted to authorities, including the Joint Commissioner, HR&CE Department.

3. Once a complaint is received regarding encroachment of temple properties, temple authorities as well as the competent authorised are bound to conduct an inspection, and initiate action for removal of encroachment to safe guard the temple properties. Officials, failing in their duty to protect temple properties are liable for commission of lapses, negligence and dereliction of duty.

4. Learned counsel for the petitioner would submit that several complaints have been submitted for removal of encroachments and to resume the temple properties, but the HR & CE officials have not taken any action. He would further submit that Tahsildar is taking steps to issue patta in respect of the temple properties.

5. In view of the above position, respondents 6 and 7, namely, Assistant Commissioner (HR&CE) and Joint Commissioner (HR&CE) are directed to initiate appropriate action against the Tahsildar, if any such pattas have been issued to the encroachers. Appropriate steps are to be taken to protect temple



properties, if necessary, by providing documents to revenue authorities.

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6. Further, 6th and 7th respondents are directed to conduct an inspection and identify encroachments in the temple properties and initiate eviction proceedings under Section 78 of the HR & CE Act, and remove the encroachments by following procedure and by affording opportunity to encroachers. The entire exercise is directed to be completed within 4 months from the date of receipt of this order.

7. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (C.K.,J.)
25-02-2026

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

GD

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**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

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