



W.P.No.47457 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2026

CORAM

THE HON'BLE Mr. JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.No.47457 of 2025
and W.M.P.No.52985 of 2025**

P.Chinnaraj,
S/o.Patchamuthu

...Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai – 600 034.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Kancheepuram.
3. The District Collector,
Kancheepuram.
4. The District Revenue Officer,
Kancheepuram.
5. Arulmigu Gurunatha Swamy Thirukoil,
Rep. By its Executive Officer,
Konerikuppam Village, Kancheepuram Taluk and District.
6. Raja Danasuriyan,
S/o.Rajamanickam.
7. Palanirajan,
S/o.Rajamanickam.



W.P.No.47457 of 2025

8. Saravanan,
S/o.Rajamanickam

9. Sekar,
S/o.Rajamanickam

10. Karthi,
S/o.Sekar

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the respondents 1 to 5 herein to take appropriate action to evict the encroachers from the property in Survey No.148/3 in Konerikuppam Village, Kancheepuram Taluk and District and retrieve the property which belongs to Arulmigu Gurunatha Swamy Temple, Konerikuppam Village and protect and safeguard the said temple property.

For Petitioner : Mrs.A.L.Ganthimathi,
Senior Counsel
assisted by Mr.S.Shiv Suriya

For Respondents : Mr.K.Karthikeyan,
Government Advocate
[H.R & C.E Department] [R1,
R2 & R5]
Mr.A.M.Ayyadurai,
Government Advocate [R3 & R4]
Ms.C.N.Vinobha [R7
R6, R8 to R10 [Not ready in
notice]



W.P.No.47457 of 2025

ORDER

WEB COPY The prayer in this writ petition is to take appropriate action to evict the encroachers from the property situated in S.No.148/3 in Konerikuppam Village, Kancheepuram Taluk and District and to retrieve the property that belongs to Arulmigu Gurunatha Swamy Temple, Konerikuppam Village and protect and safeguard the said temple property.

2. The learned Senior Counsel appearing for the petitioner would submit that there can be no doubt whatsoever that the property belongs to the temple and it is for the Authorities to take swift action to bring the property to the kitty of the temple and ensure that the income of the temple is augmented and the property of the temple is duly protected.

3. The learned Government Advocate would submit that not only with reference to S.No.148/3, it is now found that there has been encroachment in S.Nos.148/3, 148/4, 148/16 and 148/10 and action is being taken to issue notices to all the occupiers to eviction action under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959.



W.P.No.47457 of 2025

4. The learned counsel appearing for the 7th respondent would submit that till date, the 7th respondent has not received any notice and the property has been purchased by the grandfather of the 7th respondents and they have clear and absolute title in respect of the property.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. Since the official respondents themselves have placed on record that they are taking action in accordance with law in respect of the S.No.148/3 and also other survey numbers, the prayer in this writ petition is answered. If it is the claim of the temple that these survey numbers belong to the temple, let the action be taken within a period of three months from the date of receipt of a web copy of the order, without waiting for the certified copy of the order. As far as the claim of the 7th respondent is concerned, either by way of filing reply to the show cause notice or by approaching the Civil Court as enabled under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959, it will be open to prove his title and to exhaust such remedies as may be available under law.



W.P.No.47457 of 2025

WEB COPY With the aforesaid observations this writ petition stands disposed

of. No costs. Connected miscellaneous petition is closed.

06.01.2026

Neutral Citation : No
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To

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Chennai – 600 034.
2. The Assistant Commissioner,
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Kancheepuram.
3. The District Collector,
Kancheepuram.
4. The District Revenue Officer,
Kancheepuram.
5. The Executive Officer,
Arulmigu Gurunatha Swamy Thirukoil,
Konerikuppam Village, Kancheepuram Taluk and District.



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W.P.No.47457 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.47457 of 2025

06.01.2026