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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.8720 of 2026

P.Ganesa Moorthy

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Mayiladuthurai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Kumbakonam.
- 4.The Additional Commissioner,
The Vigilance Department,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Nungambakkam, Chennai.



5.The Manging Trustee & Board of Trustees,
Arulmigu Jagannatha Pillaiyar Temple,
Nageswaran Thirumanchana Veethi,
Kumabakonam.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 02.01.2026 on merits, conduct an inquiry into the fraudulent alienations of the temple property situated at T.S.No.499/2, Nageswaran Thirumanchana Veethi, Kumbakonam, initiate immediate steps for the retrieval of the said property, and take appropriate action against the fifth respondent for dereliction of duty within a time frame fixed by this Court.

For Petitioner : Mr.S.Gurumoorthy
For Respondents : Mr.J.Ashok (R1 to R4)
Additional Government Pleader

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner has filed this writ petition seeking a direction to the respondents 1 to 4 to conduct an enquiry into the fraudulent alienations of the temple property situated at T.S.No.499/2, Nageswaran Thirumanchana Veethi, Kumbakonam by considering the representation of the petitioner dated 02.01.2026.



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2.Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the respondents 1 to 4. In view of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

4.The grievance of the petitioner is that the subject property belongs to the Temple. However, some private individuals, treating the temple property as their private property, encroached upon the said property and executed sale deeds. The petitioner after coming to know about such illegal encroachment upon the temple property, has made a representation before the authorities concerned. Since the same was not considered, the petitioner has filed the present writ petition.

5.We have perused the entire materials placed on record, particularly the encumbrance certificates annexed in the typed set of papers. Perusal of the same indicates that the private parties are tracing their title from the year 1974. Therefore, merely on the basis of some



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objection in the name of Public Interest Litigation, we cannot issue a blanket direction to the authorities concerned to restore the temple property.

6.It is well settled that the disputes relating to title and ownership of property cannot be adjudicated in a writ petition under Article 226 of the Constitution of India. If the temple claims ownership over the subject property, the appropriate remedy is to approach the competent civil Court for declaration of title and recovery of the subject property.

7.In view of the above, we are not inclined to entertain this writ petition. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
01.04.2026

Index :Yes/No
Internet :Yes
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AND
M.JOTHIRAMAN, J.**

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