



W.A(MD)No.452 of 2026

WEB CODE 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.A(MD)No.452 of 2026
and
C.M.P(MD)No.4069 of 2026**

Prasanna Kumar

... Appellant/Writ Petitioner

vs.

The Takkar/Superintendent,
Arulmighu Dhandapani Swami Mutt,
Palani,
Dindigul District.

... Respondent/Respondent

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 09.12.2025 made in W.P(MD)No.35244 of 2025 on the file of this Court.

For Appellant

: Mr.H.Jasima Yasmin
for M/s.Ajmal Associates

For Respondent

: Mr.R.Murali

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JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.)

The present Writ Appeal has been filed challenging the order of the learned Single Judge in W.P(MD)No.35244 of 2025, dated 09.12.2025, whereby the Writ Petition was dismissed.

2.The Writ Petition was originally filed against the order of eviction dated 01.12.2025 passed by the respondent. The said notice was issued pursuant to the directions of this Court in Cont.P.(MD) No. 1671 of 2018, dated 09.01.2024.

3.It is the contention of the writ petitioner that he was a lessee of the property and that the eviction notice was issued suddenly without any prior intimation.

4.The learned Single Judge, on considering the materials available on record, found that there was no evidence to establish that the



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writ petitioner was a lessee and that no document had been produced in support of such claim. Taking note of the fact that the eviction process had already been completed, the learned Single Judge dismissed the Writ Petition, granting liberty to the writ petitioner to approach the civil court to establish any right over the subject property, if so advised. Aggrieved by the same, the present Writ Appeal has been preferred by the writ petitioner as appellant.

5.The learned counsel appearing for the appellant submitted that the appellant/writ petitioner is in fact a tenant and that he has a registered document evidencing such tenancy. It is further contended that the eviction was effected without properly considering the appellant's rights and that the learned Single Judge ought not to have dismissed the Writ Petition without examining the said document.

6.Per contra, the learned counsel appearing for the respondent submitted that the appellant has not produced any document before the



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learned Single Judge to establish his alleged tenancy. It is further contended that the document now relied upon in the Writ Appeal does not pertain to the appellant, but relates to a third party, namely Rajendran. The learned counsel also submitted that the eviction has already been completed pursuant to the directions of this Court and, therefore, no relief can be granted in the present appeal.

7. Heard the learned counsel appearing on either side and perused the materials available on record.

8. In the Writ Appeal, the appellant has raised a new plea claiming that he is a tenant and has relied upon a registered document. However, on perusal of the typed set of papers filed in support of the Writ Appeal, it is seen that the said registered deed pertains to one Rajendran and does not relate to the appellant/writ petitioner. It is well settled that a party cannot be permitted to raise a new case at the appellate stage. Further, it is not in dispute that the appellant has already been evicted from the temple



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properties. In such circumstances, any challenge to the eviction notice does not survive for consideration and the relief sought has become purely academic. Hence, we find no merit in the Writ Appeal.

9. Accordingly, this Writ Appeal is dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

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

NCC : Yes / No
Index : Yes / No
ps

To

The Takkar/Superintendent,
Arulmighu Dhandapani Swami Mutt,
Palani,
Dindigul District.



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N.SATHISH KUMAR,J.
and
M.JOTHIRAMAN,J.

ps

ORDER MADE IN
W.A(MD)No.452 of 2026

DATED : 01.04.2026