



WEB COPY

W.P(MD)Nos.8066 to 8072 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)Nos.8066 to 8072 of 2026

and

W.M.P(MD)Nos.6606,6608,6610,6611,6609,6607 and 6614 of 2026

A.Dinesh	...Petitioner in W.P(MD)No.8066/26
Muthusamy	...Petitioner in W.P(MD)No.8067/26
Angappan	...Petitioner in W.P(MD)No.8068/26
Thangavel	...Petitioner in W.P(MD)No.8069/26
Gurunathan	...Petitioner in W.P(MD)No.8070/26
M.Vadivel	...Petitioner in W.P(MD)No.8071/26
Kathirvel	...Petitioner in W.P(MD)No.8072/26

Vs.

The Executive Officer,
Arulmigu Bhagavathi Amman Temple
Keeranur, Kulathur Taluk,
Pudukkottai District.

...Respondent in all W.Ps

Writ Petitions are filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned proceedings in Na.Ka.Nos.5, 4, 3, 8, 2, 6 and 10 /2025 dated 22.10.2025, 29.09.2025, 29.09.2025, 29.09.2025, 29.09.2025, 29.09.2025 and 29.09.2025 issued by the respondent and quash the same on the ground that the same is arbitrary, illegal and without any legal basis.



For Petitioners
For Respondent

:Mr.A.Joel Paul Antony
:Mr.G.Mathavan
Standing Counsel

(in all W.Ps)

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COMMON ORDER

All these matters are connected and as such are taken up together and disposed of by this common order.

2.On perusal thereof, notices were issued by treating the writ petitioners as encroachers.

3.The learned counsel appearing on behalf of the petitioners firstly would submit that the land in question to the respective petitioners by way of service INAM and they can neither be treated as tenants nor defaulters or encroachers in respect thereof. Further, notice was issued by referring to the order in W.P(MD)No.25766 of 2025 which is nothing but an order of dismissing the said writ petitions for default. The same cannot be a reason for issuance of notice.

4.Per Contra, the learned counsel appearing on behalf of the Temple would submit that by holding all these persons as an unauthorized occupation, notice has been issued that the temple and the authorities are entitled to initiate proceedings as per law.



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

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6.It can be seen that the impugned orders are nothing but notices of demand issued by the Executive Officer of the Temple. The Temple is taking a view as if the petitioners are encroachers and are demanding the petitioners to vacate and hand over the properties. If the petitioners are of the opinion that they are not the encroachers, they can issue suitable reply to the Executive officer. The Executive Officer by himself will not pass any orders of eviction. The Executive Officer will only approach the competent authority under Section 78/79 of the Act by filing an appropriate miscellaneous petition and notices will be issued to the petitioners in those applications. By way of filing counter in the said applications, it will be open for the petitioners to raise all defense in the manner known to law. The final orders will be passed only after taking into consideration the objections of the petitioners and even if the adverse orders are passed that is the petitioners can file further revision to the Commissioner in the manner known to law. This apart, if the petitioners set up a rival title, they can also approach the civil Court by filing statutory suit. Therefore, these writ petitions are disposed of on the following terms:

(i)It will be opened for the petitioners to issue suitable reply to the



impugned notice.

(ii) It is made clear that except by following the due process of law, that is the Temple filing a report before the Assistant Commissioner and the Assistant Commissioner filing an application before the Joint Commissioner and the Joint Commissioner issuing notice to the petitioners and considering all the objections and passing final orders, the possession of the petitioners will not be disturbed. No costs. Consequently, connected miscellaneous petitions are closed.

26.03.2026

NCC:Yes/No
Ns

To
The Executive Officer,
Arulmigu Bhagavathi Amman Temple
Keeranur, Kulathur Taluk,
Pudukkottai District.



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D.BHARATHA CHAKRAVARTHY, J.

Ns

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