



W.P(MD)No.9397 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P(MD)No.9397 of 2026

R.Mariyappan

... Petitioner

VS.

1.The Commissioner of Survey and Settlement,
Survey House,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Tenkasi District,
Tenkasi.

3.The Superintendent of Police,
Tenkasi District,
Tenkasi.

4.The Assistant Director of Survey and Land Records,
Tenkasi.



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5.The Tahsildar,
Thiruvengadam Taluk,
Tenkasi District.

6.The Inspector of Police,
Thiruvengadam Police Station,
Thiruvengadam Taluk,
Tenkasi District.

7.The Sub Registrar,
Sub Registrar Office,
Kalugumalai,
Tenkasi - 628 552.

8.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Sankarankovil,
Tenkasi District.

9.K.Mariyappan
10.Seetha Lakshmi
11.C.Ganesan
12.M.Murugan @ Chidambaram Pillai
13.Karthikeyan
14.Kavitha
15.Vignesh
16.Kanagalakshmi
17.Manikandaprabhu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to verify the original gift deed bearing No.238 of 2000 for exact extent and



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consequently cancel the sale deed No.4241 of 2022 executed in favour of the respondents 9 and 10 and further direct the 8th respondent to enter the land in dispute in the register of land property register maintained by the HR and CE Department and further direct the Registration Department and HR and CE Department to consider and take appropriate action against the respondents 7 and 8 to handle High Court Order, dated 02.11.2022 passed in W.P(MD)No.12106 of 2014 casually.

For Petitioner : Mr.P.Jeyasankar

For Respondents : Mr.J.Ashok (R1, R2, R4, R5, R7 & R8)
Additional Government Pleader

: Mr.K.Sanjay Gandhi (R3 & R6)
Government Advocate (Crl. Side)

ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to the second respondent to verify the original gift deed bearing No.238 of 2000 for the exact extent of the property, and consequently to cancel the sale deed No.4241 of 2022 executed in favour of the respondents 9 and 10. The petitioner further seeks a direction to the 8th respondent to enter the land in dispute in the register of land property maintained by the



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HR&CE Department. Additionally, the petitioner prays for appropriate action to be taken by the Registration Department and HR & CE Department against respondents 7 and 8 concerning the order of this Court dated 02.11.2022 passed in W.P(MD) No.12106 of 2014.

2.The petitioner seeks to recover Government land from the respondents 9 and 10, which is part of 51 cents in Survey No.1389/1 of Thiruvengadam Village, originally belonging to the Subbiah Pillai family. This land was used for the Arulmigu Veeramathanda Vinayakar Temple, which later came under the control of the 8th respondent (HR & CE Department). In 2000, 45 cents were donated to the Government, leaving no land for transaction or sale by the family.

3.However, in the year 2022, the respondents 11 to 17 executed a sale deed for the land in favour of the respondents 9 and 10, without obtaining a No Objection Certificate from the HR&CE Department. The petitioner further alleges that the sale deed is fraudulent, citing discrepancies



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in survey numbers, patta details, and the forgery of the gift deed from 2000.

4.The petitioner claims that the sale deed references a non-existent sub-division (Survey No. 1389/1A) and that the respondents 9 and 10 illegally fenced off more land than specified in the documents. Despite repeated representations, the authorities have failed to take action to recover the land. Additionally, the petitioner's brother, who works as a part-time poojari at the temple, has faced retaliatory actions under the Tamil Nadu Land Encroachment Act, 1905, for setting up a petty shop near the temple. Consequently, the petitioner has filed this Writ Petition seeking recovery of the land.

5.Heard the learned counsel appearing for both sides and perused the materials available on record.

6.The grievance of the petitioner is that the subject property is temple land and that the private respondents have been dealing with the property by executing various documents. On perusal of the materials



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available on record, it is evident that the petitioner is challenging the registered document of the year 2002, as well as related documents.

7.In view of the above, if the temple has any legal rights over the property, it is for the temple authorities to take appropriate action for the recovery of the subject property. The title to the property cannot be decided solely based on affidavits or information obtained under the RTI Act in the present Writ Petition. Therefore, we do not find merit in the Writ Petition.

8.Accordingly, this Writ Petition is dismissed. However, it is directed that the temple authorities, if they believe they have rights over the land, may take appropriate legal action to restore the property, in accordance with the law. There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
07.04.2026

NCC : Yes / No
Index : Yes / No
To

1.The Commissioner of Survey and Settlement,

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