



W.P.(MD)No.11660 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **26.03.2026**

CORAM:

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

**W.P.(MD)No.11660 of 2022
and W.M.P.(MD)No.8249 of 2022**

- 1.T.Sathish
- 2.E.Subbiyah
- 3.M.Murugan
- 4.P.Rajan
- 5.R.Rajasaji
- 6.T.Saravanan
- 7.S.Sivakumar
- 8.M.Saravanan
- 9.V.Murugan
- 10.K.Manikandan
- 11.E.Ramachandaran
- 12.E.Muthu
- 13.M.Suresh



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14.T.Selvakumar

15.T.Muthu Lingam

16.P.Ganesan

17.K.Murugan

... Petitioners

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Suchindram,
Kanyakumari District.

3.The District Collector,
Collectorate,
Nagercoil,
Kanyakumari District.

4.The Manager,
Arulmighu Bagavathiyamman Temple,
Kanyakumari,
Kanyakumari District.

5.The Assistant Engineer,
TANGEDCO,
Kanyakumari,
Kanyakumari District.



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6.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari Post,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the Respondents 1 to 6 from disconnecting the electricity and evicting the petitioners by removing the temporary roof in their shops in S.No.679/2 Triveni Sangamam, Anugu Saalai, Kanyakumari District until further orders are passed by the Commissioner Hindu Religious and Endowment Department for renewal of the lease within time frame stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy, Senior Counsel
for M/s.Lajapathi Roy Associates

For Respondents : Mr.J.Ashok,
Addl. Govt. Pleader for R1 to R3 & R6
Mr.K.Sathiya Singh for R4

ORDER

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

The petitioners, claiming to be tenants, have filed this Writ Petition seeking a direction to forbearing the Respondents 1 to 6 from



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disconnecting the electricity and evicting the petitioners by removing the temporary roof in their shops in S.No.679/2 Triveni Sangamam, Anugu Saalai, Kanyakumari District until further orders are passed by the Commissioner Hindu Religious and Endowment Department for renewal of the lease within time frame stipulated by this Court.

2. We have heard the learned counsel appearing on either side and perused the materials available on record.

3. It is relevant to note that merely because the petitioners claim to be tenants, such a blanket direction, as sought by them, cannot be issued. If the tenants commit default, their status is liable to be treated as that of encroachers. Further, upon the expiry or termination of the lease period, their status shall be that of encroachers, as per Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. In view of the above, if the temple authorities find that the petitioners are encroachers, upon following due process of law, they are entitled to remove the petitioners.



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5. With the above observations, this Writ Petition is disposed

of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
26.03.2026

Index :Yes/No

NCC :Yes/No

vsm

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