



W.P(MD)No.10456 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

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P.Aavudaiyappan

... Petitioner

VS.

- 1.The District Collector / Monitoring Committee,
Tirunelveli District, Tirunelveli.
- 2.The Tahsildar,
Tirunelveli Taluk, Tirunelveli.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Tirunelveli.
- 4.The Executive Officer,
Pillayan Kattalaigal,
Tirunelveli City.
- 5.The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 herein to remove the encroachments in old S.No.251/22 (Part) and in new S.No.251/16 to an extent of 0.17.44 Hector (43cents) situated at Palamadai, Revenue Village, Tirunelveli Taluk & District belongs to the fourth respondent and restore it as earlier based on the petitioner's representation dated 17.04.2025 within a reasonable time fixed by this Court.

For Petitioner : Mr.S.Subramanian

For Respondents : Mr.J.Ashok (R1 to R3)
Additional Government Pleader

: Mr.H.Arumugam (R4)
Standing Counsel

: Mr.K.Sanjay Gandhi (R5)
Government Advocate (Criminal 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 respondents 1 to 4 to remove the encroachments in Old Survey No.251/22 (Part) and New Survey No.251/16, to an extent of 0.17.44 hectares (43 cents), situated at Palamadai Revenue Village, Tirunelveli Taluk



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and District, belonging to the fourth respondent, and to restore the same to its original condition, based on the petitioner's representation dated 17.04.2025.

2.The petitioner's grievance relates to a specific religious endowment known as "Pillayan Kattalai," attached to Arulmigu Nellaiappan Kanthimathi Ammal Temple and Arulmigu Papanasar Ulagambigai Ambal Temple in Tirunelveli District, which is administered under the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (in short hereinafter referred to as 'the Act, 1959'). The said Kattalai owns extensive agricultural lands, including the subject property in Survey No.251/16 at Palamadai Village. According to the petitioner, due to erroneous entries made during the Natham Settlement, the extent of the Kattalai land was incorrectly recorded, which has been exploited by encroachers to unlawfully occupy the property and seek patta in their favour. Despite representations made by the petitioner from the year 2024 onwards, and despite acknowledgment by the authorities regarding the existence of encroachments and the issuance of



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notices under Section 76 of the Act, 1959, no effective steps have been taken to remove the encroachments or to restore the correct land records. Hence, alleging inaction on the part of the respondents, the present Writ Petition has been filed.

3.The learned Standing Counsel appearing for the fourth respondent submitted that action has already been initiated under Section 78 of the Act, 1959. He further submitted that, as against the order passed by the Joint Commissioner, a revision petition in R.T.No. 272 of 2025 has been filed before the Commissioner and the same is pending consideration.

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

5.In view of the fact that proceedings have already been initiated under Section 78 of the Act, 1959, and a statutory revision against the order of the Joint Commissioner is pending before the Commissioner, we are not inclined to issue any further direction in the present Writ Petition. It is,

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however, made clear that the authorities concerned shall proceed further in accordance with law, subject to the outcome of the said revision.

6. With the above observation, the Writ Petition stands dismissed. There shall be no order as to costs.

[N.S.K.,J.] [P.B.B.,J.]
15.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
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