



W.P(MD)No.14233 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.05.2026

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THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.14233 of 2026

and

WMP(MD)No.10655 of 2026

N.Senthilkumar

... Petitioner

Vs.

1. The District Collector,
Dindigul District.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Dindigul, Dindigul District.

3. The Assistant Engineer,
Highways Department,
Dindigul District.

...Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 3rd respondent vide Na.Ka.No.Aakiramippu/31678/2026/Ne/Oo/dated 11.05.2026 and quash the same as illegal and arbitrary and consequently to direct the 3rd respondent not to evict the temple in survey number 243 extent of 14 cents and to direct the 2nd respondent to appoint the petitioner as the temple trustee of the Arulmigu Jambudurai Kannimar Thirukovil, Devalakarpatti, Narasingapuram, A.Vellodu Village, Dindigul District and allow to perform poojas in customary rights and



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any other benefits in favour of the temple within time frame that may be stipulated by this court.

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For Petitioner : Mr.V.Palanichamy
For Respondents : Mr.R.Gandhiraj
Special Government Pleader

ORDER

(Order of the Court was made by **D.BHARATHA CHAKRAVARTHY, J.**)

The writ petition is filed challenging the impugned order dated 12/05/2026 and to consequently direct the respondents not to evict the temple in Survey No.243 of an extent of 14 cents and to direct the second respondent to appoint the petitioner as the Trustee of Arulmigu Jambudurai Kannimar Thirukovil, Devalakarpatti, Narasingapuram, A.Vellodu Village, Dindigul District.

2. The learned counsel for the petitioner would submit that earlier, the HR & CE authorities conducted a field enquiry. Upon enquiry, it came to be known that the land in question actually belonged to the temple. The HR & CE department itself has made a claim before the revenue authorities that the land belongs to the temple. Without heeding to the said request, now the order of eviction is passed as if the temple is situated in government interest land. As a



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matter of fact, the temple is in existence from time immemorial and belongs to the village people and is also under the control of the HR & CE department.

Without changing the Patta and appointing any one including the petitioner as the Trustee for administering the temple, now the order of eviction is passed and therefore, the petitioner is before this court. The learned counsel would also submit that already a suit in O.S.No.3 of 2026 is filed before the Principal District Munsif Court, Dindigul.

3. Per contra, the learned Special Government Pleader taking notice on behalf of the respondents would submit that pursuant to the request made by the HR & CE authorities, the Revenue Divisional Officer conducted a detailed enquiry and has already passed an order on 15.05.2026, holding that the land in question is only a Government poramboke land with an endorsement 'square well', 'Panchayat Union road' and does not belong to the temple. Therefore, the eviction order has been passed in the manner known to law.

4. As a matter of fact, earlier when the petitioner came up with similar relief, this court directed to consider the representation and the representation is now disposed of by the impugned order and challenging the same, the present writ petition is filed.



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

6. The petitioner himself has produced the A Register in respect of Survey No.243. The same clearly reads that the category is Sarkar Poramboke and in the Column No.11, it is written as 'square well', 'Panchayat Union road'. Therefore, *prima facie*, the claim that it is the temple property cannot be countenanced. In any event, the petitioner has duly filed the suit in O.S.No.3 of 2026 by including all the authorities in question and has made the very same prayer before the civil court. When the same is pending, even if the petitioner is aggrieved of any attempt to evict, the petitioner can only move such interim petition in the pending suit and cannot now maintain the present writ petition under Article 226 of the Constitution of India. The title of the land in question is not in the name of the temple. The law in this regard has been settled by the Hon'ble Supreme Court of India that any place of worship in the poramboke land, is also liable to be evicted. In view thereof, the prayer in the writ petition cannot be countenanced. However, liberty is granted to the petitioner to pursue the interim relief if any before this civil court.



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7. Accordingly, the Writ Petition is dismissed. No costs. Consequently,

connected miscellaneous petition is closed.

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[D.B.C., J.] & [R.P., J.]

20.05.2026

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The District Collector,
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D.BHARATHA CHAKRAVARTHY, J.
and
R.POORNIMA, J.

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ORDER MADE IN
W.P(MD)No.14233 of 2026
DATED : 20.05.2026