



W.P.(MD). No.16858 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 19.06.2026

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THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.(MD). No.16858 of 2026
and
W.M.P.(MD)No.12499 of 2026**

N.Marimuthu

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruppur.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Karur.
- 4.The Executive Officer,
Sri Balasubramaniya Temple,
Kathapparai Village,
Vennamalai Post,
Karur Taluk,
Karur District.

... Respondents



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PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from evicting the petitioner's residential house till the disposal of the suit in O.S.No.443 of 2025 on the file of the Principal Subordinate Court, Karur.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.S.Vashik Ali
Government Standing Counsel for R1 to R3

Mr.P.Athimoola Pandian
Standing Counsel for R4

ORDER

The writ petition is filed for a Mandamus forbearing the respondents from evicting the petitioner from his residential house till the disposal of the suit in O.S.No.443 of 2025.

2. The case of the petitioner is that he claims title over the property and has set up a rival title claim as against the temple and has filed the suit, which



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is now pending. Pursuant to the order of eviction passed under Section 78 of the H.R. & C.E. Act, the respondents are taking further steps to evict the petitioner from the house as well as the shop. With reference to identical placed persons in W.P(MD)No.27161 of 2025, dated 26.09.2025, relief was granted by directing them to pay monthly rent until the disposal of the suit.

3. Upon enquiry by this Court, it is seen that the petitioner is in occupation of the residential portion as well as two shops. Considering the same, the petitioner, without prejudice to his suit claim, shall pay a sum of Rs.6,000/- per month to the temple. Upon such payment, starting from the Month of June 2026, further steps need not be taken by the respondents until the disposal of the suit. If there is any default, even during the pendency of the suit, the respondents will be entitled to take possession. The petitioner shall pay the aforementioned rent for the Month of June before 30.06.2026, and from the Month of July onwards, the rent shall be payable on or before the 10th day of every English Calendar Month. Let the suit be disposed of as expeditiously as possible.



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4. With the above observations and directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2026

NCC : Yes/No
sji

TO

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
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Chennai-600 034.
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- 3.The Assistant Commissioner,
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D.BHARATHA CHAKRAVARTHY, J.

sj1

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Date : 19/06/2026