



W.P.(MD) No.28539 to 28544 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)Nos.28539 to 28544 of 2025

and

**W.M.P.(MD)Nos.22124, 22125, 22136, 22138, 22148, 22154, 22128,
22129, 22143, 22144, 22130 & 22132 of 2025**

A.Vijayan	... Petitioner in W.P.(MD)No.28539/25
V.Kumar	... Petitioner in W.P.(MD)No.28540/25
V.Perumal	... Petitioner in W.P.(MD)No.28541/25
S.Meena	... Petitioner in W.P.(MD)No.28542/25
S.Rajendran	... Petitioner in W.P.(MD)No.28543/25
S.Krishnamoorthy	... Petitioner in W.P.(MD)No.28544/25

-vs-

The Joint Commissioner / Executive Officer,
Arulmighu Dhandayuthapaniswamy Thirukovil,
Palani Town and Taluk,
Dindigul District.

... Respondent



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COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writs of Certiorarified Mandamus, calling for the records pertaining to the impugned orders passed by the respondent vide Na.Ka.No.1365/2011/C6 dated 15.09.2025 and quash the same as illegal and unconstitutional and consequently permitting the petitioner to carry on his business activities in the shop comprised in T.S.No.864/2 of an extent of 3488 sq.ft, T.S.No.864/3 of an extent of 963 sq.ft, T.S.No.864/4 of an extent of 5995 sq.ft, at Ward No.3, Block No.20 of Adivaram, Palani Town, Dindigul District.

For Petitioners : Mr.K.Muthu Ganesa Pandiyan
For Respondent : Mr.A.K.Sriram,
Senior Counsel
for Mr.R.Murali
[In all Writ Petitions]

COMMON ORDER

[Common Order of the Court was made by DR.G.JAYACHANDRAN, J.]

The batch of Writ Petitions are directed against the proceedings of the Joint Commissioner of Arulmigu Dhandayuthapaniswamy Temple, Palani in Na.Ka.No.1365/2011/C6 dated 15.09.2025.



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2.Pursuant to series of directions issued by this Court in various Writ Petitions filed, the Joint Commissioner, Dhandayuthapaniswamy Temple, Palani has issued the impugned proceedings directing each of the writ petitioners herein to close the business activity in the respective survey numbers in view of the fact that the area falls within the Giri Veethi of the temple and title dispute pending. The impugned order issued by the Joint Commissioner even claims title over the property referring accounts of the temple mentioning the survey number as “Kovil Poromboke” as on date. However, the same is disputed by the writ petitioners.

3.It is submitted by the learned Senior Counsel appearing for the HR & CE department that a suit for declaration of title in respect of the town survey number 864/2 and other sub-divisions are pending in O.S.No.245 and 246 of 2024, on the file of the Additional District Court, Palani, which is a comprehensive title suit in respect of town survey No.864, been filed by the writ petitioners and the same is pending.

4.He would also submit that de hors of pendency of the title suit instituted by the writ petitioners, the right of the temple to direct the petitioners to close down their commercial activity is not curtailed, since



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the direction has emanated from the orders passed by the Hon'ble High Court in series of Writ Petitions which are cited as reference in the impugned order.

5.This Court on perusing the directions issued by this Court since 10.02.2014 in W.P.(MD)No.17889 of 2013 etc., till the recent judgments find that the Hill Rock of Subramaniaswamy temple at Palani and the Giri Veethi is ordered to be kept free from any encroachment, commercial activity to provide free and unobstructed access to the devotees. Even if there is a disputed claim over the ownership of the property covered under the impugned order, the right of the temple to instruct the occupants not to carry out commercial activity is well within the directions of the High Court and it is in compliance of the High Court direction. The reasonable restriction imposed for the commercial activities on the writ petitioners for the reasons stated cannot be questioned as infringement of their right to trade.

6.Hence, we dispose of these Writ Petitions with an observation that the impugned order of the Joint Commissioner claiming title over the property relying upon the revenue record as a “Kovil Poromboke” is left open and it will be subject to the outcome of the civil suit. As far as the



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direction to close business activity, we uphold the same, since this direction is in the interest of public pursuant to the orders passed by this Court in the earlier writ petitions.

7. With these observations, the Writ Petition is disposed of. We also make it clear that the order of the Joint Commissioner impugned in these Writ Petitions only speaks about restraining from carrying out business activity and not the right of residing in the place. Therefore, it is needless to apprehend that pursuant to the said order, the writ petitioners will be disturbed from their residence, if they are already residing there. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]

30.01.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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AND
K.K.RAMAKRISHNAN, J.

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