



W.P(MD)No.29348 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2026

CORAM:

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

W.P(MD)No.29348 of 2025

D.J.Vijay Aravindan

... Petitioner

VS.

- 1.The District Collector,
District Collectorate,
Madurai.
- 2.The Tahsildar,
Vadipatti Taluk,
Madurai.
- 3.The Joint Commissioner,
O/o.Joint Commissioner,
Hindu Religious and Charitable Endowment
Department, Madurai.
- 4.The Block Development Officer,
Alanganallur Block,
Vadipatti Taluk, Madurai.



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5.Arulmigu Sastha Ayyanar Temple,
Thanichiyam, Vadipatty Taluk,
Madurai District through its
Executive Officer.

... Respondents

(R5 is impleaded as per the order of this
Court dated 17.04.2026)

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 3 to remove the encroachment made by the fourth respondent in SF.No. 212/1 admeasuring an extent of 21 ares situated at Thanichiyam Village, Vadipatti Taluk, Madurai based on petitioner's representation dated 21.09.2025 and to restore the land back to its original position.

For Petitioner	: Mr.S.Ramanathan
For R1 to R4	: Mr.A.Kannan Additional Government Pleader
For R5	: Mr.S.Manohar

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 3 to remove the encroachment made by the fourth respondent in S.F. No. 212/1, admeasuring an extent of 21 ares, situated at Thanichiyam Village, Vadipatti Taluk, Madurai, based on the petitioner's



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representation dated 21.09.2025, and to restore the land to its original position.

2. We have heard the submissions made on either side and perused the materials available on record.

3. The main grievance of the writ petitioner is that the subject temple is a village public temple under the control of the third respondent, namely the HR & CE Department. The fourth respondent, namely the Block Development Officer, has removed the religious pillar stone from the subject land and has also constructed a cement structure.

4. The learned Additional Government Pleader appearing for respondents 1 to 4 submits that the encroachment has to be removed, as it has been made without any permission. He also submitted that since a cement structure has already been constructed, a reasonable rent may be fixed by the temple so that the fourth respondent may continue to occupy the land upon payment of rent.



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WEB COPY5. In view of the above, we are of the opinion that the Government has encroached upon the temple land without any permission, and such illegality cannot be legalized by directing fixation of rent. Further, the fifth respondent is also not in favour of fixing any rent. In such circumstances, the fourth respondent is directed to remove the encroachment and hand over vacant possession of the land to the temple within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
17.04.2026

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



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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

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ORDER MADE IN
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