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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(MD) No. 31208 of 2026

CNR:{HCMD011472402026}

Case QR

and

WMP(MD) Nos.23976 & 23977 of 2026

Thilagaraj,
No. 10/36, Sivasakthi Nagar,
Vennainmalai, Manmangalam Taluk,
Karur District.
Represented through his Power of Attorney
P.Kumanan, S/o.Perumal,
Door No.2/264/6, Poornima Garden,
Vennaimalai, Kathapparai Village and Post,
Manmangalam Taluk, Karur District.

..Petitioner(s)

Vs

1. The Commissioner,
   Hindu Religious and Charitable
   Endowments Department,
   Uthamar Gandhi Salai,
   Nungambakkam, Chennai - 600 034.

2. The Joint Commissioner,
   Hindu Religious and Charitable
   Endowments Department,
   Tiruppur Region, Tiruppur.

3. The Assistant Commissioner,
   Hindu Religious and Charitable
   Endowments Department, Karur.

4. The Executive Officer,
   Arulmigu Balasubramaniaswamy Temple,
   Vennainmalai, Kathapparai Village,
   Manmangalam Taluk, Karur District.

..Respondent(s)

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Palavagai Manu No.6/2026/A3 dated 19.08.2026 passed by the second respondent under Section 78(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, and quash the same as illegal and consequently remand the matter to the competent authority for fresh consideration and adjudication, after identifying the exact survey subdivision, extent, boundaries and physical location of the alleged 3,000 sq.ft. temple property, conducting proper survey and measurement and considering the relevant revenue records and the documents produced by the petitioner in accordance with law, and forbear the respondents from taking any coercive action against the petitioner including eviction, dispossession, removal or demolition of the existing structure, or interference with his possession and enjoyment of the property namely House Plot Nos.34 and 35, Sivasakthi Nagar, Vennainmalai, measuring East-West 50 feet on both sides and North-South 80 feet on both sides, totally measuring 4,000 sq.ft., together with the building standing thereon.

For Petitioner : Mr.R.Gunasekaran

For R1 to R3 : Mr.A.Siva Subramanian
Additional Government Pleader

For R4 : Mr.P.Adimoolapandian

ORDER

Upon initiation of proceedings against the petitioner under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act,

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1959, the impugned order dated 19.08.2026 was issued by the second respondent.

2. Learned counsel for the petitioner submits that said order was issued without providing a reasonable opportunity to the petitioner.

3. Mr.A.Siva Subramanian, learned Additional Government Pleader, accepts notice for the first to third respondents. Mr.P.Adimoolapandian, learned counsel, accepts notice for the fourth respondent.

4. Learned counsel for the fourth respondent submits that the petitioner entered appearance through his counsel, Mr.D.Karthik. He points out that said counsel failed to appear despite multiple opportunities being provided. He adds that the petitioner has a statutory remedy under Section 21 of the above-mentioned enactment or by way of a suit under Section 79(2) thereof.

5. As contended by learned counsel for the fourth respondent, the order reflects that the petitioner was represented through his counsel, Mr.D.Karthik. The order also records that several opportunities were

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provided to the petitioner to appear through his counsel and that the counsel failed to appear. The order copy has also been forwarded to said Mr.D.Karthik. In these circumstances, no case is made out to warrant interference in judicial review. Leaving it open to the petitioner to file a revision under Section 21 or a suit under Section 79(2), this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

03-11-2026

Index: No
Speaking
Neutral Citation: No

JEN

To
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   Nungambakkam,
   Chennai - 600 034.

2. The Joint Commissioner,
   Hindu Religious and Charitable Endowments Department,
   Tiruppur Region, Tiruppur,

3. The Assistant Commissioner,
   Hindu Religious and Charitable Endowments Department,
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SENTHILKUMAR RAMAMOORTHY, J.
JEN

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