

W.P(MD)No.1942 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P(MD)No.1942 of 2026
and
W.M.P.(MD)No.1525 of 2026

J.Ramakrishnan

... Petitioner

vs.

1.The Principal Secretary,
Municipal Administration, Water Supply,
St.Fort George, Chennai.

2.The District Collector,
Tuticorin District, Tuticorin.

3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungampakkam High Road,
Chennai

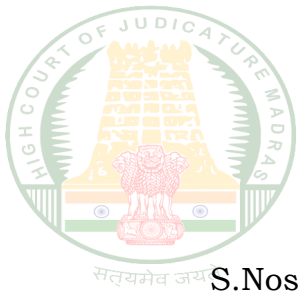
4.The Municipal Commissioner,
Tiruchendur Municipality, Tiruchendur.

5.The Joint Commissioner,
Tiruchendur Arulmigu Subramaniyasamy Koil,
Tiruchendur.

6.The Chairman,
Tiruchendur Municipality, Tiruchendur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th and 6th respondents to remove the construction in the petitioner land in



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S.Nos.276/7 and 277/10, Keel Tiruchendur Village, Tiruchendur, Tuticorin by fixing a time frame and thus render justice.

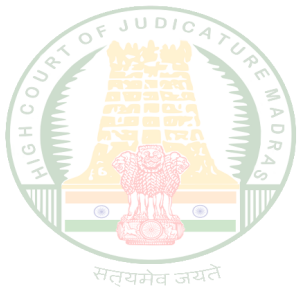
For Petitioner	:Mr.R.Maheswaran
For R1 to R3	:Mr.M.Mahaboob Athiff Govt. Advocate
For R4	:Mr.H.Arumugam
For R5	:Mr.Muthu Geethayan

ORDER

The petitioner has filed this writ petition seeking a direction to respondents 4 and 6 to remove the construction put up in Survey Nos.276/7 and 277/10 situated at Keel Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

2.According to the petitioner, the subject property has been in the possession and enjoyment of his family for several generations. It is stated that the property has traditionally been used for conducting religious functions connected with the festivals of Lord Murugan during the Tamil months of Masi and Avani. The petitioner claims that the Mandapam situated in the property belongs to his family and that the Ursavar deities are taken in procession to the said Mandapam every year.

3.The grievance of the petitioner is that respondents 3 and 4, without any right over the property, have commenced construction of washroom facilities for public at large in the said land.



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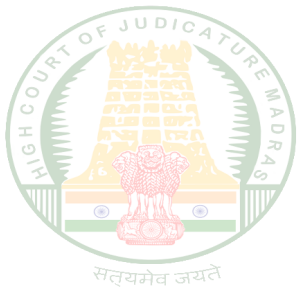
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4.The materials placed before this Court show that the land is classified as Government poramboke land in the revenue records. The “A” Register extract indicates that the total extent of the land is 1 acre and 83 cents and that a Mandapam is situated in a portion thereof. Except relying upon the revenue records and receipts evidencing payment of Mandagapadi charges, the petitioner has not produced any document to establish title to the land or ownership of the Mandapam.

5.The fifth respondent has filed a counter affidavit stating that members of the petitioner’s community had earlier filed O.S.No.358 of 1995 before the Additional District Munsif Court, Tiruchendur, seeking declaration and injunction in respect of the very same property. The suit was dismissed after contest.

6.The trial Court, while dismissing the suit, found that the documents relied upon by the plaintiffs only established payment of Mandagapadi charges during certain years. The Court further found that members of several communities had conducted Mandagapadi at the Mandapam and rejected the claim that the petitioner’s community alone had exclusive rights over the property.

7.The trial Court also concluded that the property belonged to the fifth respondent and that members of different communities participated in the religious activities conducted at the Mandapam during the festivals.



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8.The issues raised by the petitioner involve disputed questions of fact, which have already been considered by a competent civil Court. The materials on record further show that a portion of the land has been utilised for construction of a public toilet for the benefit of the public at large.

9.In the absence of any document establishing title or exclusive rights over the property or the Mandapam, the petitioner's claim cannot be accepted. Having failed to establish any legal right in respect of the subject property, the petitioner is not entitled to seek removal of a public utility structure constructed for the convenience of devotees.

10.Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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NCC : Yes/No

Index : Yes/No

Internet:Yes

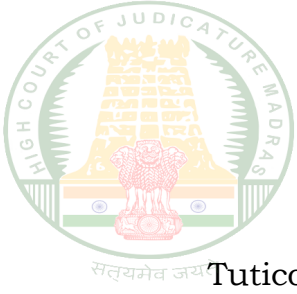
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To

1.The Principal Secretary,
Municipal Administration, Water Supply,
St.Fort George, Chennai.

2.The District Collector,

4/6



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Tuticorin District, Tuticorin.

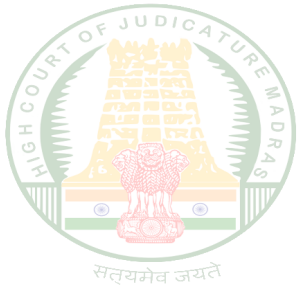
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3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungampakkam High Road,
Chennai

4.The Municipal Commissioner,
Tiruchendur Municipality, Tiruchendur.

5.The Joint Commissioner,
Tiruchendur Arulmigu Subramaniayasamy Koil,
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HEMANT CHANDANGOUDAR, J.

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