



W.A(MD)Nos.340 & 341 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2026

CORAM:

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

W.A(MD)Nos.340 & 341 of 2026

W.A(MD)No.340 of 2026

Murugan

... Appellant

VS.

**1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli.**

**2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli, Now Tenkasi.**

**3.The Executive Officer,
Arulmigu Thiru Kutraalanatha Swamy Thirukovil,
Courtalam, Tirunelveli District,
Now Tenkasi District.**

... Respondents



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PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in W.M.P(MD)No.17059 of 2023 in W.P(MD)No.19778 of 2017, dated 15.02.2024.

For Appellant : Mr.Abhinav Parthasarathy
for Mr.K.Kevinkaran
For R1 & R2 : Mr.J.Ashok
Additional Government Pleader
For R3 : Mr.S.Manohar
Standing Counsel

W.A(MD)No.341 of 2026

Murugan

... Appellant

vs.

1.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tenkasi.

2.The Executive Officer,
Arulmigu Thiru Courtallanatha Swamy Thirukovil,
Courtallam, Tenkasi District.

3.The Junior Engineer,
TANGEDCO, Courtallam,
Tenkasi District.

... Respondents

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P(MD)No.1276 of 2024 to set aside the same.



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For Appellant : Mr.Abhinav Parthasarathy
for Mr.K.Kevinkaran
For R1 : Mr.J.Ashok
Additional Government Pleader
For R2 : Mr.S.Manohar
Standing Counsel
For R3 : Mr.S.Deenadhayalan
Standing Counsel

COMMON JUDGMENT

(Order of the Court was made by N.SATHISH KUMAR, J.)

The challenge has been made to the order of the learned Single Judge, who dismissed the W.P(MD)No.1276 of 2024 and W.M.P(MD)No.17059 of 2023 in WP(MD)No.19778 of 2017, dated 15.02.2024.

2. The appellant has filed a writ petition in W.P(MD)No.1276 of 2024 for a writ of Mandamus directing the Executive Officer of Arulmigu Courtallanathaswamy Thirukoil, Courtallam to consider his representation dated 20.11.2023 for grant of electricity service connection to his shop No.124 at Keela Radha Veedhi, Courtallam. He also filed W.M.P(MD)No.17059 of 2023 in W.P(MD)No.19778 of 2017 for extension of time to pay the arrears of rent to the temple as directed by this Court in W.P(MD)No.19778 of 2017.



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3. The appellant claims to be a tenant of shop No.115 and states that, as of 31.05.2015, he had arrears of rent amounting to Rs.6,55,510/-. Subsequently, eviction proceedings were initiated by the temple authorities under Section 78 of the Hindu Religious and Charitable Endowments Act. An eviction order was passed on 08.08.2017. In response, the appellant filed W.P.(MD) No.19778 of 2017, challenging the eviction order, wherein he has agreed to clear the outstanding rent. However, the appellant has failed to pay the amount as directed by this Court and he has also filed W.M.P(MD)No.17059 of 2023 seeking extension of time to pay the arrear amount. This Court by an order dated 07.09.2023 has directed the appellant to pay the arrears of amount in three instalments. Thereafter, one Thiru has filed a writ petition in W.P(MD)No.453 of 2024 on the ground that the appellant has not paid the arrears of rent as directed by this Court and he has also sub-leased the shop to one Murugan, who is owner of an Eaterly namely, Sun Chips.

4. However, the electricity connection to the shop was subsequently disconnected. When the said writ petition filed by the said Thirupathy is pending,



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the appellant has filed a writ petition W.P(MD)No.1276 of 2024 seeking a direction to the TANGEDCO to grant electricity service connection to his shop No.124. The appellant's counsel contends that, having paid the entire arrears, the appellant should be afforded an opportunity to approach the authorities and make a representation regarding the disconnection.

5. On the other hand, the learned counsel for the respondents submits that, pursuant to the eviction order, the appellant was evicted on 12.07.2024, and the property is now under the control of the Temple authorities.

6. It is acknowledged that the appellant was initially inducted as a tenant and had incurred arrears of rent. Furthermore, he has failed to clear the arrears as per the proceedings initiated under Section 78 of the Hindu Religious and Charitable Endowments Act. Additionally, it is noted that no specific period was fixed for the tenancy. As per the legal provisions, any tenancy exceeding a period of five years is invalid without proper sanction from the Commissioner. Any person continuing to occupy temple property after the termination of tenancy, or in violation of the tenancy terms, is deemed to be squatting, and such occupation



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is governed by Section 78 of the HR & CE Act. As the tenancy has been terminated and the eviction proceedings have concluded, the appellant is no longer entitled to occupy the premises.

7. In the light of the above, there is no interference is required in the order of the learned Single Judge and accordingly, the writ appeals are dismissed.

[N.S.K.,J.] [M.J.R.,J.]
12.03.2026

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



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To

- 1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli, Now Tenkasi.



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

am

ORDER MADE IN
W.A(MD)Nos.340 & 341 of 2026

DATED : 12.03.2026