

W.A(MD)No.2126 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.2126 of 2025
and
C.M.P(MD)No.12245 of 2025**

A.Vellaichamy Poosari

... Appellant /
Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Trichy District.
- 2.The Tahsildar,
Marungapury Taluk,
Trichy District.
- 3.The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
Srinivasa Nagar,
Thiruvanaikovil,
Trichy District – 620 005.
- 4.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Srinivasa Nagar,



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Thiruvanaikovil,
Trichy District – 620 005.

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5.A.Duraisamy

6.M.Ponnu Alias Meyyan

7.The Inspector of Police,
Thuvarankuruchy Police Station,
Trichy District.

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to call for the records in order dated 28.03.2024 passed in W.P(MD)No.27721 of 2023 to be set aside the same and allow this Writ Appeal.

For Appellant : Mr.S.Sivakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.1 to R.4

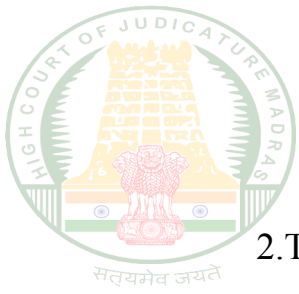
Mr.G.Gomathi Sankar
for R.5 & R.6

Mr.M.Sakthi Kumar
Government Advocate (Criminal Side)
for R.7

JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.



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2.The appellant herein claims to be the poojari of the petition mentioned temple. According to him, the respondents 5 and 6 are in occupation of the temple lands and are liable to be evicted. Hence he filed W.P(MD)No.27721 of 2023. The writ petition was disposed of by the learned single Judge in the following terms:

“5.The issue has already been decided in favour of the temple that the land belongs to the temple and since the relief of recovery of possession was negatived, the respondents 5 and 6 are in occupation of the said land. Further, the persons, who are in occupation of the said land, are also prepared to pay fair rent to the temple. Hence, the third respondent shall fix the fair rent and inform the same to the occupants of the subject property as expeditiously as possible. Accordingly, this writ petition is disposed of. No costs.”

Aggrieved by the said direction, this Writ Appeal has been filed.

3.It is not in dispute that the respondents 5 and 6 herein are in occupation of portions of the temple land. It is not open to the writ Court to give any positive direction to the effect that their possession must be recognised as that of tenants. It is for the Trust Board to take a decision in the matter. If any person is aggrieved by the decision of the Trust Board, they can always file a revision before the concerned authority of the HR&CE department.



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4. With the aforesaid clarification, this Writ Appeal is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
04.08.2025

NCC : Yes / No
Internet : Yes / No
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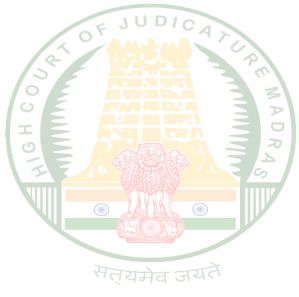
To

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5. The Inspector of Police,
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