

Cont.P(MD)No.371 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

Cont.P(MD)No.371 of 2024

A.Radhakrishnan

: Petitioner

Vs.

1.P.Madhusudhanreddy, I.A.S.,
Commissioner of Survey and Settlement,
Chepauk, Chennai – 600 005.

2.K.V.Muralidharan, I.A.S.,
Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai – 600 034.

3.M.Thangavel, I.A.S.,
District Collector, Karur,
Karur District.

4.Elangovan,
Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Karur.



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5.Suguna,

Executive Officer,

Arulmigu Balasubramaniaswamy Temple, Vennimalai – 639 006,
Manmangalam, Karur District.

6.N.Natarajan (Retired)

Joint Commissioner, Karur.

7.C.Kumaradurai,

Now Joint Commissioner,
Kancheepuram.

8.D.Rathinavel Pandian,

Now Joint Commissioner, Tiruppur.

9.M.Sooriya Narayanan,

Now Deputy Verification Officer, Thanjavur.

10.T.Nandakumar,

Now Deputy Verification Officer, Erode.

11.B.Jeyadevi,

Now Assistant Commissioner, Theni.

12.M.Ramani Kandan,

Now Assistant Commissioner /

Executive Officer of Arulmigu Arthanareeswarar Temple,
Tiruchengode.

13.R.Sankaran,

Now Executive Officer,
Arulmigu Siddeswarar Temple,
Kanjamalai, Salem District.

14.S.Manokaran,

Now Executive Officer,
Gneeliwaneswarar Temple,
Thiruppanjeeli.



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15.N.Amaranathan Nagalingam,
Executive Officer,
Arulmigu Amanalingeswarar Temple,
Thirumurthy Malai.

16.L.Saravanan,
Executive Officer,
Arulmigu Kalyana Pasupatheeswarar Temple,
Karur.

17.C.Suguna,
Executive Officer, Balasubramaniya Swamy Temple,
Vennaiimalai.

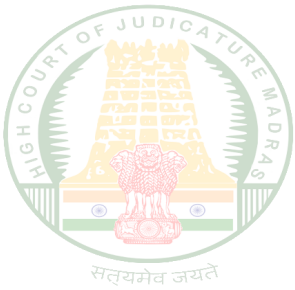
18.The Superintendent of Police,
Karur.

: Respondents

[R.6 to R.17 *suo-motu* impleaded by order dated 03.10.2024]

[R.18 *suo-motu* impleaded by order dated 10.10.2025]

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience and violating the orders of this Court in WP(MD)No.64 of 2018, dated 23.10.2019.



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For Petitioner : Mr.A.Radhakrishnan
Party-in-person

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.P.Subburaj
Special Government Pleader
for R.1 to R.4

Mr.P.Athimoolapandan
Standing Counsel for R.5

Mr.V.Chandrasekar
for R.9, R.13, R.14

Mr.K.Govindarajan for R.6

Mr.M.Saravanan for R.10

ORDER

Cognizance has been taken in this Contempt Application on 01.03.2024 for the non-compliance of the order of this Court made in W.P.(MD) No.64 of 2018, dated 23.10.2019.

2.The petitioner, a devotee, had filed the above writ petition seeking removal of encroachments from the properties belonging to



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Arulmigu Balasubramaniaswamy Temple, Vennaimalai, Karur.

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Deliberations in the writ petition revealed that an extent of 507.88 acres of land belonging to the said temple was under encroachment. Based on the nature of encroachments, the lands were classified into five categories, and this Court disposed of the writ petition with directions to the Hindu Religious and Charitable Endowments Department (HR & CE) to take necessary steps to remove the encroachments and to restore the temple properties.

3.Though the order was passed nearly six years ago, the HR & CE Department, which is expected to be the custodian of temple properties, has not taken any effective steps to recover the lands. Consequently, the writ petitioner / party-in-person has filed this contempt application. Even after cognizance was taken, there has been no substantial progress in implementing the order, and a vast extent of land continues to remain under encroachment.

4.The HR & CE Department, in its report dated 09.09.2024, has stated that certain steps were taken to remove encroachments on



19.07.2022 and 25.08.2022, but those attempts failed due to agitations by the encroachers and due to lack of cooperation from the police, revenue, electricity board, and fire service authorities.

5.Learned Additional Advocate General submitted that the Department proposed to constitute a Monitoring Committee comprising senior officers to oversee implementation. Accordingly, this Court, by order dated 23.09.2024, issued the following directions:

“16.The Commissioner, HR & CE, in his report has stated that he is proposing to constitute a Monitoring Committee consisting of a Senior Officer from the Office of the Commissioner, HR & CE; District Revenue Officer, Karur; Joint Commissioner, HR & CE Department, Tiruppur; Assistant Commissioner, HR & CE Department, Karur; Special Tahsildar (Temple Lands); and Deputy Inspector of Survey. Therefore, in order to provide one more opportunity to the respondents to comply with the orders of this Court dated 23.10.2019, we are inclined to adjourn this matter to 03.10.2024, for passing further orders.

17.In the meantime, the Commissioner shall also address the first respondent / Commissioner of Survey and Settlement and also the District Collector, Karur and other Officers concerned to co-operate with the HR & CE Department, towards compliance of the orders passed by this Court in WP(MD)No.64 of 2018 dated



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23.10.2019. *In the event if there is any non-cooperation from any of the Department or any of the Officials, the Commissioner shall file a report before this Court.*

18. Needless to state that every officials are expected to co-operate with the HR & CE Department to comply with the orders passed by this Court. Any non-cooperation from any sect of the Departments would be viewed as a contempt of the orders passed in WP(MD)No.64 of 2018 and the respective Officer / Official would also be impleaded as a party to this contempt petition."

6. However, there was still no meaningful progress. Holding that only namesake actions were being taken, this Court, by order dated 03.10.2024, suo motu impleaded the then and present officials of the HR & CE Department and issued statutory notice to them. The contemnors appeared before this Court on 30.10.2024. Counsel for the HR & CE officials made a categorical statement that they were in a miserable position, unable to implement the order due to non-cooperation by the District Administration and the Superintendent of Police, Karur.

7. Considering these submissions, this Court fixed responsibility on the District Administration and the Superintendent of Police as



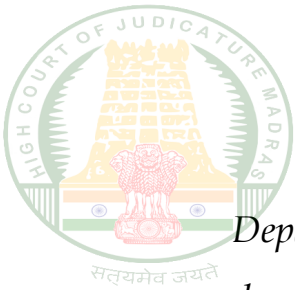
follows:

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“9.In this case, it appears that threats have been made to the Executive Officer of Arulmigu Balasubramaniya Swamy Temple, Vennaimalai and to the Joint Commissioner, Tirupathur, by the encroachers and they have been prevented from executing the orders of this Court. This Court will not permit the hanging of Damocles Sword over the officers / officials of the HR CE Department in implementing the orders of this Court. If any officer / official is not in a position to discharge their duty diligently, apprehending danger to them, then it would show the lawlessness in the State.

10.It is the responsibility of the District Administration as well as the Superintendent of Police, Karur to ensure that the officers of the HR & CE Department in Karur District, particularly, the Executive Officer and the Joint Commissioner are permitted to discharge their functions without any fear.

11.Considering the manner in which the agitations have been made and threats have been made to the Executive Officer, this Court directs the Superintendent of Police, Karur District, to provide adequate protection to the Office of the Executive Officer, Arulmigu Balasubramaniya Swamy Temple, Vennimalai and also to the Office of the Joint Commissioner, HR CE, Tirupathur, until further orders. The Superintendent of Police, Karur District, is also directed to ensure that separate Police Officers are deployed for the safety and security of the Executive Officer of Arulmigu Balasubramaniya Swamy Temple, Vennaimalai and the Joint Commissioner, HR CE



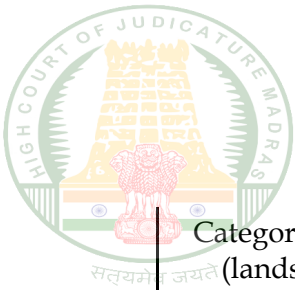
Department, Tirupathur. It is made clear that in the event if any danger is posed to any of the officials / officers in discharging their duty and in implementing the orders of this Court, the Superintendent of Police will be held responsible for the same and necessary action would be taken as against him.

12.Considering the difficulty faced by the Department, this Court is granting two months time to take appropriate action to comply with the order dated 23.10.2019.

13.This Court expects the Executive Officer of Arulmigu Balasubramaniya Swamy Temple, Vennaimalai, Manmangalam Taluk, Karur and the Joint Commissioner, HR CE Department, Tirupathur, to file the details about the Government officials [serving and retired], Industrialists and Influential persons, who have encroached the Temple lands and are in occupation of the same, with their details and the extent."

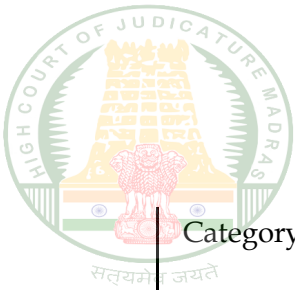
8.A report has since been filed by the Joint Commissioner, HR & CE, indicating certain actions taken category-wise. The report and the queries of this Court in that regard, are as under:-

Category	Extent of encroachment	Steps taken	Query of this Court
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Category I (lands standing in temple name – vacant lands)	6.75 Acres	i) 1.08 Acres – acquired for Karur Salem Boardguage railway	
		ii) 5.67 Acres - orders have been passed by JC u/s.78. Of this 5.67 Acres, possession was taken by temple for 1.52 Acres. For the remaining 4.15 acres, cases are pending before the High Court.	The particulars of cases pending before this Court for this 4.15 Acres are not available
Category II (lands standing in temple name – lands with construction)	20.59 Acres	i) 7.83 acres – orders passed by JC u/s.78	If orders have been passed, why were further steps not taken?
		ii) 5.17 acres – proceedings u/s.78 pending before JC	Why and for how long are the proceedings pending before the Joint Commissioner?
		iii) 4.11 acres possession taken by temple	
		iv) 3.48 acres vacant site	
Category III (lands standing in temple name during 1912 settlement, but settlement pattas were issued in individuals' name)	146.42 Acres	i) 59.24 acres – 47 civil suits have been filed	Steps have to be expedited. Civil Court to be appraised of time-bound direction issued in writ petition
		ii) 23.81 acres – 4 cases plaint under prepartion for filing of suits	
		iii) 63.37 acres – documents to be collected for filing of suit	In the writ petition, the Collector and DRO have filed reports making this categorisation. Therefore, the documents must be available with the collectorate. Even otherwise, it must be available with the Archives. Therefore, in the writ petition, directions were issued to collect the documents both from the Collectorate and / or from the Archieves. What prevented the Department from taking action in this regard?



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Category IV (lands standing in temple name during 1912 settlement, but revenue pattas were issued in individuals' name during UDR)	221.09 Acres	i) 113.13 acres – 20 civil suits have been filed.	Steps have to be expedited. Civil Court to be appraised of time-bound direction issued in writ petition
		ii) 13.34 acres – 3 cases plaint under preparation for filing of suits	
		iii) 94.62 acres – documents to be collected for filing of suit	In the writ petition, the Collector and DRO have filed reports making this categorisation. Therefore, the documents must be available with the collectorate. If not with them, it must be available with the Archives. In the writ petition, directions were issued to collect the document both from the Collectorate and / or from the Archives. What prevented the Department from taking action in this regard?
Category V (lands standing in temple name during 1912 settlement, but revenue pattas were issued in individuals' name after UDR)	96.22 Acres	i) 26.20 Acres orders passed by JC u/s.78	If orders have been passed, why were further steps not taken?
		ii) 9.06 Acres proceedings u/s.78 pending before JC	Why and how long the proceedings are pending before JC.
		iii) 20 shops sealed	
		iv) 88 suits have been filed before District Court, karur	Civil Court to be appraised of time-bound direction issued in writ petition
		v) 19.06 acres possession taken by temple	
		vi) 41.90 acres vacant site	
Temple Location	5.10 Acres		
Temple Poromboke	11.71 Acres		
Total	507.88 Acres		



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9.From the above report, it is evident that despite the passage of considerable time, there is no substantial progress in implementing the orders of this Court. The HR & CE Department has cited non-availability of documents as the reason for delay, stating that such documents were not furnished by the District Administration. This Court had already directed the HR & CE Department to obtain such documents from the District Archives, if not available with the Collectorate, but that has not been done till date.

10.From the report, it is seen that 27 Government officials, 49 industrialists and businesspersons, and 38 influential individuals are in occupation of the temple lands. The report, however, does not disclose their designations or the nature of occupation. The encroachments appear to have occurred with the connivance of certain revenue officials and temple trustees. The HR & CE Department, the statutory guardian of temple properties, has failed to discharge its duties, leaving it to a devotee to pursue the matter before this Court.



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11. Since several influential persons are among the encroachers, the District Administration and Police appear reluctant to cooperate with the HR & CE Department in removing the encroachments. Despite affidavits from the Joint Commissioner and Executive Officers highlighting this non-cooperation, the Commissioner, HR & CE, has not brought the issue to the notice of the Secretaries to Government, Revenue Department and Home Department. The Commissioner's inaction has, therefore, also contributed to the continued non-compliance.

12. A vast extent of temple lands remains under encroachment. Despite repeated orders of this Court, both in the main writ petition and in the present contempt proceedings, no meaningful action has been taken to restore the temple lands. Hence, this Court is inclined to proceed further in the contempt application.

13. For effective adjudication and to fix accountability, this Court *suo motu* impleads the Superintendent of Police, Karur, as a party respondent to these proceedings.



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The revenue officials are expected to be present along with all the revenue records, including the A-register, for the subject properties.

(P.V.,J.) (B.P.,J.)
10.10.2025

gk

To

1.P.Madhusudhanreddy, I.A.S.,
Commissioner of Survey and Settlement,
Chepauk, Chennai – 600 005.

2.K.V.Muralidharan, I.A.S.,
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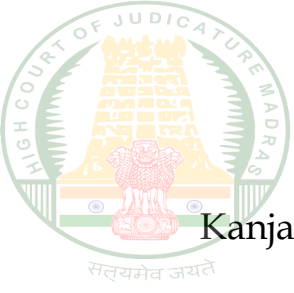
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Now Executive Officer,
Arulmigu Siddeswarar Temple,



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Kanjamalai, Salem District.

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14.S.Manokaran,

Now Executive Officer,
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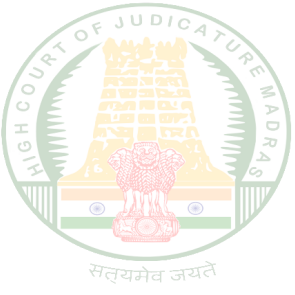
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18.The Superintendent of Police,

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