

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

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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.

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.

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,

Vennaimalai.

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.

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

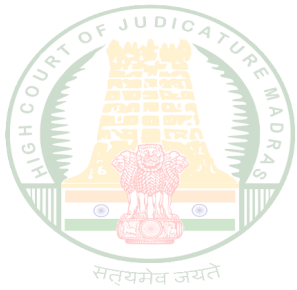
For Respondents: Mr.N.R.Elango,
Senior Counsel
for Mr.N.Ramesh Arumugam,
Government Advocate for R.1, R.3, R.4
&
for Mr.T.Senthilkumar,
Additional Public Prosecutor for R.18

Mr.R.Baranidharan for R.2

Mr.A.K.Sriram,
Senior Counsel
for Mr.P.Athimoolapandan
Standing Counsel for R.5, R.15 to R.17

Mr.K.Govindarajan for R.6

Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.P.Subburaj,
Special Government Pleader
for R.7, R.8, R.10, R.11



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

Mr.C.K.Chandrasekar
for Mr.P.Athimoolapandan
Standing Counsel for R.12

ORDER

“The lands of the Lords are in trouble!! Even Gods and Lords are not spared. The temples in Tamil Nadu are historic symbols of Tamil history and they are the properties of the community as a whole. But God's money is robbed by the notorious society ...”

— Observations of the First Bench of this Court in WP.No.1972 of 2015, dated 29.02.2016.

2.The Government of Tamil Nadu, in its Policy Notes of the HR and CE Department, has recorded a steady decline in the extent of temple lands — from 5.25 lakh acres in 1986–87 to 4.90 lakh acres in 2000–01, to 4.79 lakh acres in 2002–03 and to 4.78 lakh acres in 2008–09. Temple lands are not



commercial assets of the State. They are sacred endowments made by generations of devotees with a definite object to sustain religious worship and charitable services. If endowed properties diminish year after year, it is not a mere clerical anomaly, but reflects systemic erosion.

3.The anguished observations of the First Bench in 2016 continue to resonate. The present case stands as yet another example where lands standing in the name of a deity in revenue records are allowed to remain under encroachment for years together, while administrative responses oscillate between delay and justification.

Background:-

4.The petitioner, a devotee, filed WP(MD)No.64 of 2018 seeking removal of encroachments over approximately 500 acres belonging to Arulmighu Balasubramaniaswami Temple, Vennaimalai, Manmangalam Taluk, Karur District. It was asserted that the temple is over 1000 years old and owns extensive lands in Karur District, including lands in Kathaparai and Athur Villages, which were under encroachment.



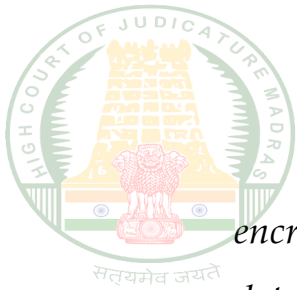
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5. During the writ proceedings, periodical status reports were filed by the District Collector, Karur. On 30.01.2019, the District Revenue Officer categorised the temple lands into five categories, as follows:-

- (1) Lands standing in the name of the temple and vacant;
- (2) Lands standing in the name of the temple but with constructions;
- (3) Lands standing in the name of the temple during the 1912 settlement, but settlement pattas issued to individuals under TN Act 30 of 1963;
- (4) Lands standing in the name of the temple during 1912 settlement, but revenue pattas issued to individuals during UDR;
- (5) Lands standing in the name of the temple during 1912 settlement, but revenue pattas issued to individuals after UDR.

6. By order dated 23.10.2019, this Court issued category-wise directions, as under:-

"36. ... 1. Insofar as the first and second categories are concerned, the revenue records are in the name of the temple and if there are any encroachments the temple administration has to initiate appropriate proceedings under Section 78 of HR & CE Act and all the



encroachments shall be removed within a period of six months from the date of receipt of a copy of this order.

2. Insofar as the third category is concerned, wherein settlement pattas were given in the name of the individuals, the temple has to work out its remedies by filing a suit within a period of three months from the date of receipt of the copy of the order and the same has to be disposed of by the concerned Court within a period of one year thereof. The fourth respondent as well as the Commissioner, Archives and Historical Research Department shall provide all relevant records of the lands in issue to the HR & CE Department within two months from the date of receipt of copy of this order enabling them to initiate a suit as directed.

3. Insofar as the fourth category is concerned the revenue records have been altered to the name of the individuals during UDR, and it is now reported that the DRO, after due enquiry, has passed orders restoring pattas to the temple and therefore, the temple authorities have to initiate proceedings under Section 78 of HR & CE Act and take further action. If the parties are aggrieved, it is for them to challenge the same, in the manner known to law, by approaching appropriate forum and in any event, if any appeal is filed, the same shall be decided within a period of six months thereof.

4. Insofar as the fifth category is concerned, the revenue records have been altered into the name of the individuals after UDR and now it is reported that the RDO has conducted an enquiry and restored the pattas in the name of the temple and therefore, the temple is at liberty to



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restore their properties by initiating proceedings under Section 78 of HR & CE Act and take further action. If anybody is aggrieved by the order of the RDO, it is open to them to challenge the same before the competent authority, and if any such appeal is filed, the same shall be disposed by the concerned forum on merits within a period of six months from thereof."

Contempt Proceedings:-

7. Alleging deliberate non-compliance, the petitioner filed the present contempt petition in 2024. Notice was ordered on 01.03.2024. As progress remained negligible, this Court directed the personal appearance of the Commissioner, HR and CE; Joint Commissioner, HR and CE; Superintendent of Police, Karur; and other concerned officials.

8. It was reported that a monitoring committee was constituted on 27.09.2024. However, effective execution did not follow. Therefore, this Court impleaded the former Executive Officers and Joint Commissioners, who were in-charge of the subject Temple during the relevant period. They cited lack of cooperation from District Administration and Police.



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Consequently, the District Collector and Superintendent of Police were also impleaded.

9.The Executive Officer, in his report dated 06.09.2024, claimed that he filed the required application under Section 78 of the HR and CE Act before the Joint Commissioner, HR and CE, Tiruppur, as against 187 encroachers and the Joint Commissioner has also issued notice to them. 103 encroachers, according to him, have received the notice and 84 refused to receive the notice. The Joint Commissioner has concluded the enquiry and passed orders as against 32 persons on 29.10.2021 itself and steps have also been initiated to remove those encroachments. Yet eviction was postponed citing protests and law and order concerns. Attempts in 2022 and December 2023 also failed citing non-cooperation of police and revenue officials. It was reported that the temple staff have been gheraoed by the encroachers.

10.Considering the difficulties expressed by the officials of the HR and CE Department, this Court came down heavily as against the District



Administration as well as the Superintendent of Police, Karur and recorded

that this would amount to lawlessness in the district in its order dated 30.10.2024 and issued directions to provide adequate protection to the O/o.Executive Officer of the Temple and also to the O/o.Joint Commissioner, HR CE, Tiruppur. This Court has further categorically held that if any danger is posed on the officials in discharging their duty in implementing the order of this Court, the Superintendent of Police will be held responsible for the same. Even thereafter, full implementation did not materialise.

11.It appears that civil suits under category 4 were filed only in December 2025, nearly five years after the writ order. The explanation that the documents were unavailable is unacceptable, particularly when the earlier reports were filed based on those very records. Only after specific queries were posed by this Court, records have been collected from archives and suits were instituted under this category 4. To be noted, this Court has in fact directed the officials to collect the documents from the archives in the order passed in the writ petition itself.



WEB COPY 12.Be that as it may, as per the report dated 28.11.2025, 92 suits are pending under category 2; 366 suits have been filed by the temple; and 171 suits have been filed by individuals under categories 4 and 5. Interim injunctions were granted only in 40 cases. Despite absence of interim protection in most cases, the respondents have not taken any action as against those encroachers.

13.The fact remains that the total extent of temple land under encroachment is 507.88 acres. As on date, only 93.64 acres stand recovered.

Law and Order Situation:-

14.The reports of the Superintendent of Police disclose that eviction attempts in November 2025 were thwarted due to protests by political leaders and others. It appears that in this regard, FIRs in Crime Nos.307, 302, 303, 377 and 306 of 2025 were registered. The details of some of the cases, as per the report, are as under:-

(1) On 17.11.2025, the officials of the HR and CE Department

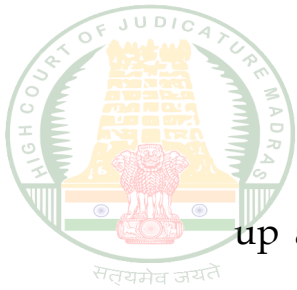


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attempted to undertake eviction process and police protection was provided for the same. However, due to protests from a sitting Member of Parliament, political leaders and other protestors, the eviction could not be carried out. The Vangamedu Police Station have registered FIR in Crime No. 307 of 2025 for the same against 15 named accused and approximately 1000 others.

(2) When the officials of the HR and CE Department attempted to undertake eviction proceedings on 20.11.2025, some of the encroachers and their relatives attempted self immolation and a case in Crime No. 302 of 2025 was registered for the same. A group of people also blocked National Highway-44 for which a case in Crime No.303 of 2025 was registered.

(3) On 20.11.2025, when the officials of the Revenue Department and the HR and CE Department accompanied by police protection attempted to seal the properties on the encroached land, they were faced with opposition from members of certain organisations and a case in Crime No. 377 of 2025 was registered for the same. Even when the officials managed to put

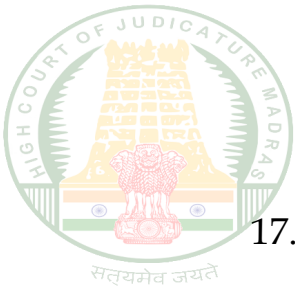


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up a notice board declaring that the land in S.F.No.569, Aathur village belongs to the temple, the same was taken down and a case in Crime No. 306 of 2025 was registered for the same.

15.From the report, it also appears that for merely fixing a flex board declaring temple ownership, 3 Deputy Superintendents of Police, 5 Inspectors of Police and 132 police personnel were deployed. Such deployment for a routine administrative act itself reflects the intensity of resistance.

16.Certain organisations, including one styled “Inam Land Farmers Lessees and House Site Owners Protection Movement”, appear to have mobilised agitations. There are legal remedies exist to challenge judicial orders. They cannot be nullified by organised obstruction and by such extra-legal means. It is a sad state of affairs that some of the protestors who are legal professionals themselves and who are people's representatives have also resorted to such activities.



17. When this Court verified the details of the encroachers, it is reported that among the encroachers, 27 are Government officers, 49 are industrialists and 38 are persons wielding considerable influence. One cannot ignore the disturbing possibility that this very composition explains why, irrespective of party lines, there appears to be a consistent reluctance on the part of the political establishment to permit the authorities to carry this Court's orders to their logical conclusion.

18. Out of 230 encroachers, 13 have filed review application before this Court in the year 2023, however, did not prosecute the review application. The rest of the encroachers have not even worried about filing any petitions. It appears that these encroachers trusted the HR and CE officials that they would not take any action as against them. The pendency of the review application has been informed to this Court only during the course of hearing in the contempt application and in fact, it appears that this review application has been filed in order to provide a ground for the HR and CE officials for not proceeding with the orders of this Court. This Court has also heard the review applicants and dismissed the same on 24.01.2025



in Rev.Aplw(MD)No.106 of 2023. The review applicants have challenged

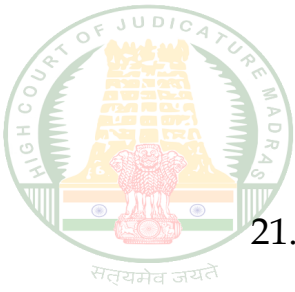
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that order before the Hon'ble Supreme Court and some of them have also challenged the original orders of this Court in WP(MD)No.64 of 2018. All the Special Leave Petitions were dismissed by the Hon'ble Supreme Court by a common order dated 03.11.2025. As such, no legal impediment survives, even then, the HR CE officials have not acted upon the orders passed in WP(MD)No.64 of 2018.

Finding on Wilful Contempt:-

19.The directions issued in 2019 were clear and time-bound. Nearly six years have elapsed. Even after initiation of contempt proceedings, the pattern has been one of explanation without execution.

20.Files moved. Reports were filed. Meetings were convened. Monitoring committees were constituted. Yet, fact remains, most of the lands remain under encroachment. Postponement of proceedings due to anticipated resistance cannot be a legal defence.



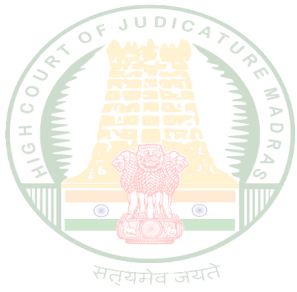
21. After dismissal of the Review Applications and Special Leave

Petitions, there remained absolutely no legal cloud. Continued inaction thereafter constitutes wilful and deliberate disobedience. The majesty of law cannot be made contingent upon crowd approval. This Court therefore holds that wilful contempt is established.

Punishment - Withheld:-

22. Contempt jurisdiction exists to secure compliance and uphold the authority of law. Punishment is a means, not an end. Here, the true sufferer is not the Court but the Temple. The objective is restoration of 507 acres of endowed property. Convicting individual officers may not, by itself, restore additional acreage.

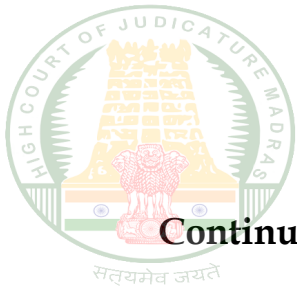
23. Therefore, while recording a clear finding of wilful contempt, this Court exercises restraint in imposing punishment on the contemnors — not out of indulgence, but in pursuit of the larger public and religious interest involved.



WEB COPY Constitutional Reflection:-

24.This Court has monitored this matter for over two years. Numerous orders were passed in this contempt application. Personal appearances were secured. Protection was ordered. Yet compliance remains partial.

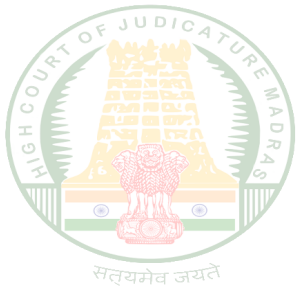
25.The poor deity has no voting right. On the other hand, the mighty encroachers have valuable votes. In a democratic polity, electoral arithmetic sometimes appears to influence administrative resolve. But constitutional governance is not subordinate to electoral expediency. A deity, recognised as a juristic person in law, cannot be left remediless because it does not participate in elections. The deity may not vote, but the Constitution speaks. The Court is exercising its *parens patriae* jurisdiction. But, when judicial orders are stalled by organised resistance, then the rule of law itself stands tested.

**Continued Inaction frustrating Judicial Directions:-**

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26. This Court issued specific directions in WP(MD)No.64 of 2018 on 23.10.2019 for recovery of the temple lands under encroachment. More than five years have elapsed since then. As tangible progress was not forthcoming, this contempt petition was initiated in the year 2024 and has remained pending for nearly two years. Senior officials of the HR and CE Department and the Police appeared before this Court pursuant to earlier directions. A monitoring committee was constituted by the Department in 2024 to oversee implementation. However, the intended purpose has not been achieved.

27. Though the Joint Commissioner had passed orders as early as 29.10.2021 against 32 encroachers, eviction has not been carried out. In the original writ petition itself, this Court had directed that the civil suits be disposed of within a period of six months. The reality, however, is that more than six years have passed since disposal of the writ petition, and the suits remain pending.



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28.It is also a matter of record that the temple authorities collected archival documents and instituted suits in respect of 94.62 acres under Category 4 only in December 2025 – and that too after this Court raised a pointed query on 10.10.2025 regarding the unexplained delay. Only in some suits, interim injunctions have been granted, while in most of the suits, there is no interim order. But, irrespective of whether interim orders have been granted or not, all the suits continue to remain pending without final disposal.

29.Considering the manner in which the issue is being handled by the stakeholders, this Court, while is conscious that civil Courts must adjudicate upon pleadings and evidence in accordance with law, holds that such adjudicatory process cannot translate into indefinite pendency, especially in matters involving public religious endowments and long-standing encroachments. The cumulative circumstances indicate a pattern of delay that has effectively frustrated the timely enforcement of the directions issued by this Court. Therefore, this Court is constrained to



reiterate and reinforce its earlier directions to ensure expeditious disposal

of the pending civil suits.

Directions:-

30. In view of the above, this contempt petition is closed for the present with the following directions:

(i) The Civil Courts dealing with suits relating to the subject temple lands shall endeavour to dispose of them as expeditiously as possible, preferably within six months, subject to pendency and in accordance with law.

(ii) Where interim protection is declined, such suits shall be taken up for early final disposal.

(iii) The HR and CE Department shall file a comprehensive status report, once in every three months on the first working day of the quarter, before this Bench detailing the lands recovered, proceedings initiated, suits filed, stage of litigation and eviction steps taken.

(iv) The Superintendent of Police, Karur, shall ensure adequate protection to officials implementing eviction proceedings and deal strictly



with any obstruction in accordance with law.

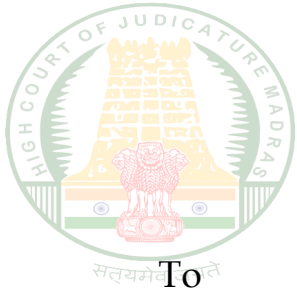
WEB COPY (v) The Registrar of Societies shall enquire into the activities of the organisations referred to above, obtain police reports and take appropriate action in accordance with law, if illegal activities are found.

31.The officials are reminded that compliance with judicial orders is not optional. The authority of the Court does not depend upon executive convenience. The State machinery is expected to act with firmness and constitutional fidelity.

With the above observations and directions, this Contempt Petition stands closed for the present.

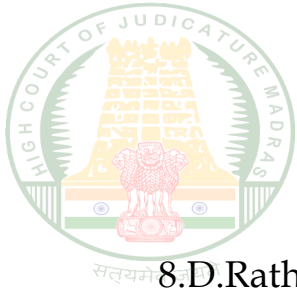
[P.V.,J.] [B.P.,J.]
27.02.2026

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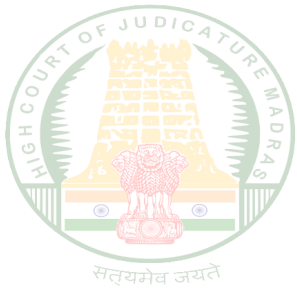
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18.The Superintendent of Police,
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19.The Principal District Judge,
Karur. [To communicate a copy of this order to the concerned civil Court
dealing with the subject temple lands.]



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P.VELMURUGAN, J.

AND

B.PUGALENDHI, J.

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