



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2026

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CORAM

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,  
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.1415 of 2026  
and C.M.P.No.13051 of 2026

Sri Venkatesa Perumal Temple Arakkattalai,  
No. 76, Radha Avenue Main Road,  
Valasaravakkam, Chennai – 600 087  
Rep. by its Present President, G.Rajendran,  
President of above Arakkattalai  
Residing at No.16, Anbu Nagar,  
Valasaravakkam, Chennai – 600 087.

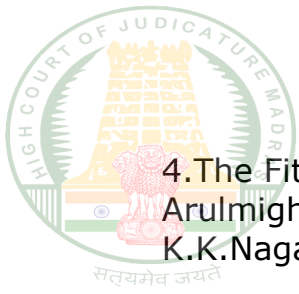
Appellant

Vs

1.The Commissioner,  
Hindu Religious and Charitable Endowment  
(Admin) Department,  
Having office at  
Nungambakkam High Road,  
Chennai – 600 034.

2.The Joint Commissioner,  
Hindu Religious and Charitable Endowment  
(Admin) Department,  
Having office at  
Nungambakkam High Road,  
Chennai – 600 034.

3.The Assistant Commissioner,  
Hindu Religious and Charitable Endowment  
(Admin) Department,  
Having office at  
Nungambakkam High Road,  
Chennai – 600 034.



4.The Fit Person/Executive Officer,  
Arulmigh Sakthi Vinayagar Temple,  
K.K.Nagar, Chennai – 600 078.

Respondents

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Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 29.04.2026 made in W.P.No.30166 of 2022.

For Appellant: Mr.K.Karthikeyan

For Respondents: Mr. V.Chandraprabu  
Government Advocate (HR& CE)  
for R1 to R3

Mr.Wilson Topaz  
for R4

### JUDGMENT

(Judgment delivered by the Hon'ble Chief Justice)

This writ appeal, filed under Clause 15 of the Letters Patent, challenges the order dated 29.04.2026 passed in W.P.No.30166 of 2022.

2.The appellant/writ petitioner had filed the writ petition challenging the notice dated 01.11.2022 of the 4<sup>th</sup> respondent/Temple. The writ petition was dismissed with the following direction:

*"3.In view of the same, this Writ Petition is dismissed by directing the petitioner to handover the charges to the fit person, within a period of two weeks from the date of receipt of a copy of this order and the handing over of the charges to the fit person, is subject to the out come of the appeal proceedings initiated by the petitioner. If the petitioner succeeds in*



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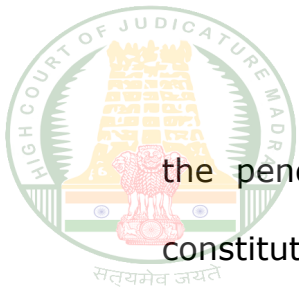
*the Appeal Suit, liberty is granted to him to make an application to restore his status. No costs. Consequently, connected Miscellaneous Petition is closed.”*

3. Learned counsel for the appellant would submit that the writ court overlooked the fact that the 4<sup>th</sup> respondent/Temple issued the notice in error, completely disregarding the pendency of the appeal suit.

4. Per contra, learned Government Advocate for the official respondents and learned counsel for the 4<sup>th</sup> respondent/Temple would submit that the learned Single Judge had rightly dismissed the writ petition, solely on the basis of the statement made by the writ petitioner, agreeing to hand over charge to the 4<sup>th</sup> respondent/Temple, however, subject to the outcome of the appeal proceedings initiated by the writ petitioner.

5. We have given our anxious consideration to the submissions advanced on either side.

6. A perusal of the impugned order passed by the learned Single Judge would reveal that the order passed therein merely records the undertaking and statement made on behalf of the writ petitioner to hand over the charge to the 4<sup>th</sup> respondent/Temple, subject to the outcome of



the pending appeal proceedings. Since the impugned order does not constitute a "judgment" or a final adjudication on the merits of the statutory rights of the parties, no intra-court appeal lies against such a consent order under Clause 15 of the Letters Patent. The appellant is bound by the statement recorded before the writ Court. Thus, liberty remains intact for the appellant/writ petitioner to pursue the statutory appeal suit and seek restoration of status in terms of the Single Judge's order, upon succeeding in those proceedings.

8. In the result, this Court finds no reasons to interfere with the order passed in the writ petition and consequently, the impugned order of the learned Single Judge is affirmed. Accordingly, the writ appeal is dismissed as not maintainable. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN, J.)  
13.07.2026

*hvk*



To

1.The Commissioner,  
Hindu Religious and Charitable Endowment (Admin) Department,  
Nungambakkam High Road,  
Chennai – 600 034.

2.The Joint Commissioner,  
Hindu Religious and Charitable Endowment (Admin) Department,  
Nungambakkam High Road,  
Chennai – 600 034.

3.The Assistant Commissioner,  
Hindu Religious and Charitable Endowment (Admin) Department,  
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THE HON'BLE CHIEF JUSTICE  
AND  
G.ARUL MURUGAN,J.

*hvk*

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