



W.P.(MD) Nos.15610 and 16043 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.15610 and 16043 of 2025

and

W.M.P.(MD).Nos.11826 and 12134 of 2025

W.P.(MD).No.15610 of 2025

K.Krishna Moorthy Pattar

... Petitioner

Vs

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Uthmar Gandhi Salai,
Nungambakkam,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi.

3.The Joint Commissioner / Executive Officer,
Arulmigu Subramania Swamy Temple,
Tiruchendur.

4.The Board of Trustees,
Arulmighu Subramani Swamy Temple,
Tiruchendur,

5.S.Siva Subramani Pattar

... Respondents



W.P.(MD) Nos.15610 and 16043 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the first respondent made in R.P.No.1 of 2025 D2 dated 29.05.2025 and quash the same and consequently to permit the petitioner to continue the duty of Archakar for 1 ¼ day in Tamil month.

For Petitioner	: Mr.R.Murali
For R-1 and R-2	: Mr.K.Balasubramani, Special Government Pleader
For R-3 and R-4	: Mr.A.K.Sriram, Senior Counsel for Mr.M.Muthugeethayan
For R-5	: Mr.V.R.Shanmuganathan

W.P.(MD).No.16043 of 2025

Sivasubramania Bhattar

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli.
- 3..The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tuticorin.
- 4.The Executive Officer,
Arulmigu Subramania Swamy Temple,
Tiruchendur, Tuticorin District.



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5. The Chairman,
Board of Trustees,
Arulmighu Subramani Swamy Temple,
Tiruchendur, Tuticorin District.

6. K. Krishnamoorthy Bhattar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 29.05.2025 passed by the first respondent in R.P.No.1 of 2025 / D2 and quash the same and consequently to direct the respondent Nos.1 to 5 to recognize the petitioner's right to perform pooja in the fourth and fifth respondent Temple.

For Petitioner : Mr.V.R.Shanmuganathan

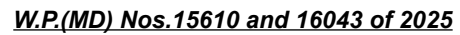
For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader

For R-4 and R-5 : Mr.A.K.Sriram,
Senior Counsel
for Mr.M.Muthugeethayan

For R-6 : Mr.R.Murali

COMMON ORDER

These writ petitions have been filed challenging the impugned order passed by the first respondent in R.P.No.1 of 2025 (D2) dated 29.05.2025.



4. Per contra, the learned Special Government Pleader appearing for the official respondents and the learned Senior Counsel appearing for the temple authorities would submit that the revisional authority has considered the entire materials on record and has passed a reasoned order strictly in accordance with the provisions of the Hindu Religious and Charitable Endowments Act.



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5. On perusal of the impugned order, it is seen that the revisional authority has examined the claim of both parties with regard to performance of pooja murai and hereditary claim. The relevant portion of the order makes it clear that the continuation of poojariship merely on the ground of succession cannot be sustained and that the claim of hereditary right cannot be recognised automatically. The Revisional Authority ultimately has passed the following order:

“(i) Confirmed the order dated 09.08.2023 made in A.P.No.1 of 2022; and

(ii) Rejected the confirmation of the earlier order dated 23.02.2012 permitting performance of 1¼ day pooja murai; and

(iii) Observed that it is open to the Joint Commissioner / Executive Officer to fill up the vacancies of Archagar in accordance with law and that the parties are at liberty to apply, if otherwise qualified, but not under hereditary right.”

6. The contention of the petitioners that the revisional authority has exceeded its jurisdiction cannot be accepted. The observations made regarding filling up of vacancies are only consequential in nature and flow from the findings rendered in the revision. They do not confer any automatic right nor do they prejudice the petitioners independently. Even



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if no such observation is made by the Revisional Authority as stated at Clause (iii), the Joint Commissioner / Executive Officer is empowered to fill up the vacancy of Archagars in accordance with the Hindu Religious and Charitable Endowments Act, in view of the order passed by the Revisional Authority.

7. Further, the dispute raised involves adjudication of rights relating to poojariship and succession, which are mixed questions of fact and law. This Court, in exercise of jurisdiction under Article 226 of the Constitution of India, will not interfere when disputed factual issues are involved and when statutory remedies are available.

8. If the petitioners are aggrieved by any action taken pursuant to the impugned order or if they claim any independent civil right, it is always open to them to work out their remedy before the competent Civil Court in the manner known to law or liberty is granted to the petitioners to file a review under Section 114-A of the Hindu Religious and Charitable Endowments Act, if so advised, within a period of four weeks from the date of receipt of a copy of this order. If such a review is filed before the concerned authority within the stipulated time, the said



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authority shall consider and dispose of the same on merits and in accordance with law, within a period of three months thereafter.

9. In view of the above, this Court is not inclined to interfere with the impugned order dated 29.05.2025 passed in R.P.No.1 of 2025 (D2).

10. Accordingly, these Writ Petitions are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

17.02.2026

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

TSG

To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tuticorin.



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KRISHNAN RAMASAMY, J.

TSG

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