



W.P.(MD) No.20352 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2026

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.20352 of 2026

and

W.M.P.(MD)Nos.15084 to 15086 of 2026

1.Pon.Sakthi

2.M.Kumaresan

... Petitioners

Vs.

1.The Secretary to Government,
HR and CE Department,
Fort St.George, Chennai.

2.The Commissioner,
HR and CE Department,
Nungambakkam High Road,
Chennai.

3.The Joint Commissioner,
HR and CE Department, Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records relating to the impugned notification Gazette No.37 dated 02.07.2026 and in Na.Ka.No. 5336/2026/A1 dated 01.07.2026 issued by the respondents 1 and 3 respectively insofar as it proposes appoint non-hereditary trustees to Arulmighu Sengunthar Kaliamman Kovil, Dindigul, and quash the same.



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W.P.(MD) No.20352 of 2026

For Petitioners : Mr.VR.Shanmuganathan

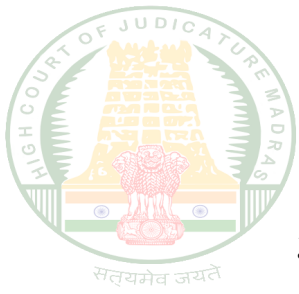
For Respondents : Mr.R.Parthiban
Government Standing Counsel

ORDER

The petitioners have challenged the impugned Gazette Notification No.37 dated 02.07.2026, whereby the respondents 1 and 3 have proposed the appointment of non-hereditary Trustees to Arulmighu Sengunthar Kaliamman Kovil, Dindigul.

2. The case of the petitioners is that the subject Temple is governed by a Scheme Decree passed in O.A.No.56 of 1978, in terms of which only persons belonging to the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk alone are entitled to administer the said Temple. The relevant clause of the said Scheme Decree reads as follows:-

"2.The administration of Arulmigu Sengunthar Kaliamman Koil, Dindigul Town and Taluk, Madurai District and all properties moveables and immovables which belong to or have been or hereafter be given dedicated or endowed thereto or acquired for the temple shall in general or to any one or more of the deities in particular do and shall vest in a Board of Trustees not exceeding five and not less than three who shall be appointed from and amongst the members of the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk, Madurai District by the appropriate authorities in accordance with the provisions of the Act."



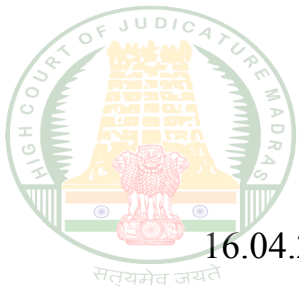
W.P.(MD) No.20352 of 2026

WEB COPY

3. It is an admitted position that the members of the community have been appointing the Trustees, whose tenure is for a period of two years, in accordance with Section 47(3) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as "the H.R. & C.E. Act"). It is further submitted that, from the year 2012 onwards, the H.R. & C.E. Department has failed to approve and recognise the Trustees so elected.

4. It is submitted that an earlier attempt was made by the second respondent / Commissioner to appoint an Executive Officer by issuing a show cause notice dated 05.03.2026 in proceedings bearing Reference No. Na.Ka.No.2327130/2025/L.5. Aggrieved thereby, the petitioners were constrained to approach this Court by filing W.P.(MD)No.10810 of 2026 seeking to quash the said show cause notice. In the said Writ Petition, the petitioners also sought a direction for approval of the Trustees elected and whose names were forwarded through the proposal dated 23.09.2023 submitted by the Sengunthar Isai Vellalar Sangam.

5. It is informed that the said Writ Petition is still pending. It is further submitted that, despite the interim order passed by this Court on

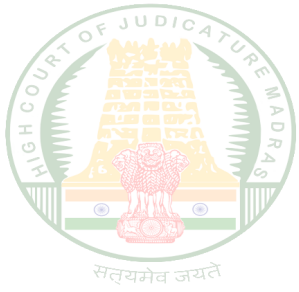


W.P.(MD) No.20352 of 2026

16.04.2026 directing the respondents to issue a supplementary show cause notice to the impugned show cause notice, clearly setting out the reasons necessitating the appointment of an Executive Officer and to furnish a copy of the report of the Joint Commissioner relied upon therein, the second respondent has now issued the impugned Gazette Notification No. 37 in proceedings bearing Reference No.Na.Ka.No.5336/2026/A1, dated 01.07.2026.

6. It is submitted that, while the earlier attempt was to appoint an Executive Officer under Section 45 of the H.R. & C.E. Act, the present attempt is to appoint non-hereditary Trustees under Section 47 of the H.R. & C.E. Act, which, according to the petitioners, is in violation of the interim order dated 16.04.2026. It is further submitted that the impugned Gazette Notification has not confined the invitation for applications to members of the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk.

7. According to the petitioners, the impugned Notification ought to have incorporated the same eligibility criteria as contained in the earlier Notification dated 22.08.2023 issued by the Joint Commissioner.



W.P.(MD) No.20352 of 2026

WEB COPY 8. On the other hand, the learned Standing Counsel appearing for the respondents would submit that, although a comprehensive decision has been taken to appoint non-hereditary Trustees under Section 47 of the H.R. & C.E. Act to various Temples, separate Gazette Notifications have been issued in respect of each Temple inviting applications only from members of the respective communities in accordance with the Scheme Decree passed in O.A.No.56 of 1978, dated 30.01.1982, by the Deputy Commissioner, H.R. & C.E., Madurai.

9. Having considered the submissions made by the learned counsel for the petitioners and the learned Standing Counsel appearing for the respondents, and recording the submission of the learned counsel for the petitioners that the petitioners would be satisfied if the applications received pursuant to the impugned Notification are considered strictly in accordance with the Scheme Decree passed in O.A.No.56 of 1978, dated 30.01.1982, by the Deputy Commissioner, H.R. & C.E., Madurai, and that the appointments are confined exclusively to members of the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk, this Court is inclined to direct the respondents to proceed with the process of



W.P.(MD) No.20352 of 2026

appointment by restricting the field of consideration to the members of the said community belonging to Dindigul Town and Taluk.

10. It is pertinent to note that the Scheme Decree does not specifically provide that the non-hereditary Trustees should be elected by the Members of the community. On the contrary, it provides that the Management of the Temple shall vest in a Board of Trustees consisting of not more than five and not less than three members, who shall be appointed from amongst the Members of the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk (formerly part of Madurai District) by the competent authority in accordance with the provisions of the Act.

11. Further, Section 47(3) of the H.R. & C.E. Act makes every appointment under sub-section (1) subject to the result of any application that may be filed under sub-section (2). Therefore, this Court finds no reason to interfere with the impugned Gazette Notification, except to clarify that the appointments shall be confined strictly to members of the Sengunthar Isai Vellalar Community of Dindigul Town and Taluk.



W.P.(MD) No.20352 of 2026

12. It is open to the petitioners to participate in the selection process

pursuant to the impugned Notification.

13. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

NCC : Yes / No
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20.07.2026
(2/2)

To

- 1.The Secretary to Government,
HR and CE Department,
Fort St.George, Chennai.
- 2.The Commissioner,
HR and CE Department,
Nungambakkam High Road,
Chennai.
- 3.The Joint Commissioner,
HR and CE Department, Dindigul.



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W.P.(MD) No.20352 of 2026

C.SARAVANAN, J.

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W.P.(MD) No.20352 of 2026

20.07.2026
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