



Writ Petition No.6891 of 2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 21.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.6891 of 2021**

**and**

**W.M.P.Nos.7428, 7432 & 7434 of 2021**

S.K.Varadarajan  
S/o.S.Kumariah

...Petitioner

Vs

- 1.The District Collector,  
Thiruvallur District,  
Office of the District Collector,  
Thiruvallur.
- 2.The Commissioner,  
Hindu Religious and Charitable Endowment  
Department,  
No.119, Mahatma Gandhi Road,  
Nungambakkam, Chennai - 600 034.
- 3.The Revenue Divisional Officer,  
Ponneri, Railway Station Road,  
NGO Nagar Extension,  
Ponneri - 601 204.
- 4.The Joint Commissioner, Vellore  
Hindu Religious and Charitable Endowment Department,  
Vellore - 632 009.



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5.The Assistant Commissioner,  
Thiruvallur,  
Hindu Religious and Charitable Endowments Department,  
C.V.Naidu First Cross Street,  
Thiruvallur - 602 001.

6.The Inspector of Police (Law & Order),  
M-4 GNT Road, Redhills,  
Chennai - 600 052.

7.S.Manogaran  
S/o.Rajan

8.G.Rajendran  
S/o.Govindasamy

9.K.Velayutham  
S/o.Kalimuthu

10.P.Karmegam  
S/o.Ponnazhaghu

11.Fit Person,  
Arulmigu Muneeswarar Angala Eswari Temple,  
C.V.Naidu 1st Cross Street,  
Thiruvallur - 602 001.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 3 to take over physical possession of the landed property at No.18, Burma Nagar, Padianallur Village, Redhills, Chennai - 600 052 tilted as 'Meikal Poramboku Land' as the same belongs to the Government of Tamil Nadu not belonging to the Arulmigu Muneeswarar Angala Eswari Temple, so as to be utilized for the public charitable purposes specifically with regard to



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the Burma Repatriates for whom the entire stretch of land has been originally allotted by the Government of Tamil Nadu.

For Petitioner : Mrs.K.Subhashini  
for Chennai Law Associates

For Respondents : Mrs.S.Mythreye Chandru  
Special Government Pleader [R1, R3 & R6]  
Mr.S.Yaswanth  
Additional Government Pleader [R2, R4 & R5]  
Mr.C.K.M.Appaji [R7]  
Mr.G.Shiva Surya [R8 to R10]  
Mr.Suriya  
for M/s.A.S.Kailasam Associates [R11]

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### **ORDER**

This writ petition has been filed claiming multiple reliefs. One set of relief pertains to appointment of Special Officer to take over the administration of Arulmigu Muneeswarar Angala Eswari Temple and to restrain respondents 7 to 10 from using the name of the temple and collecting money from general public. The other set of relief sought for is for a direction to the official respondents to take possession of the 'Meikal Poramboku Land' where the Kalyana Mandapam is situated and which is being attempted to be taken over by respondents 7 to 10.



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2. Heard Mrs.K.Subhashini, learned counsel appearing for petitioner, Mrs.S.Mythreye Chandru, learned Special Government Pleader appearing for respondents 1, 3 & 6, Mr.S.Yaswanth, learned Additional Government Pleader appearing for respondents 2, 4 & 5, Mr.C.K.M.Appaji, learned counsel appearing for the seventh respondent, Mr.G.Shiva Surya, learned counsel appearing for respondents 8, 9 & 10 and Mr.Suriya, learned counsel appearing for eleventh respondent.

3. This Court has carefully considered the submissions made on either side and the materials available on record.

4. Insofar as the temple is concerned, the counter affidavit filed by eleventh respondent gives a clear picture. The eleventh respondent is the fit person appointed for the temple. It has been stated in the counter affidavit that a suit was filed in O.S.No.112 of 2010 on the file of District Munsif, Ponneri, for a declaration to declare the subject temple to be a denominational temple by the interested persons. This suit came to be dismissed and as against the same, A.S.No.7 of 2014 was filed before the Principal Sub-Judge, Ponneri and this appeal was also dismissed for default.



In view of the same, the relief claimed to declare the temple as denominational temple by the interested persons came to an end.

5. The eleventh respondent has also taken a stand that the Kalyana Mandapam does not belong to the temple and it is not situated within the property belonging to the temple. However, respondents 7 to 10 were claiming themselves to be trustees of the temple and were collecting money from the general public and were attempting to renovate the Kalyana Mandapam. In view of the same, the eleventh respondent has already initiated proceedings against respondents 7 to 10.

6. Learned Additional Government Pleader appearing on behalf of respondents 2, 4 and 5 submitted that steps will be taken by the Hindu Religious and Charitable Endowments Department to appoint non-hereditary trustees for the temple by considering the temple as non-listed temple.

7. The grievance expressed by the petitioner insofar as administration of the temple is concerned, is sufficiently redressed by virtue of the stand taken by the official respondents and the fit person appointed for the temple.



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8. That leaves this Court with the issue of taking over of the Kalyana Mandapam which is situated in a Meikal Poramboku Land. The petitioner has already made a representation to the third respondent on 10.03.2020 and the same did not evoke any response. The petitioner is directed to make a fresh representation to the third respondent. The third respondent shall conduct an enquiry and shall take control of the Meikal Poramboku Land. Insofar as the collection of money from the general public by projecting as if the Kalyana Mandapam belongs to the temple, the fit person has already initiated action. In the course of enquiry, the third respondent shall also ascertain as to who had constructed the Kalyana Mandapam and take a decision accordingly. This decision shall be taken by the third respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of in the above terms. No costs.  
Consequently, connected miscellaneous petitions are closed.

**21.06.2023**

Index : Yes/No  
Speaking order: Yes/No  
Neutral citation: Yes/No  
gm



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**N.ANAND VENKATESH, J**

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