



W.P.No.25835 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.25835 of 2014
and M.P.No.2 of 2014**

K.Dayalan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Villupuram.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Cuddalore-607 001.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
Panruti, Panruti Taluk,
Cuddalore District.



W.P.No.25835 of 2014

5.Fit Person,

Arulmighu Durga Parameswari @ Kalamman Thirukkcoil,
Thattanchavadi, Panruti,
Panruti Taluk, Cuddalore District.

6.C.Panneerselvam

7.P.Ramachandran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records and quash the proceedings of the third respondent in his Se.Mu.Na.Na.Ka.No.27867/2006/A1 dated 30.10.2013 and consequently, forbearing the respondents 1 to 5 from in any manner interfering with the management of Arulmighu Durga Parameswari @ Kalamman Thirukkcoil, Thattanchavadi, Panruti, by the villagers of Thattanchavadi, Panruti, Panruti Taluk, Cuddalore District.

For Petitioner : Mr.R.Gururaj

For Respondents : Mr.K.Karthikeyan
Government Advocate
(HR & CE)
for R1 to R5
No-appearance for R6 and R7



W.P.No.25835 of 2014

ORDER

This Writ Petition has been filed challenging the proceedings of the third respondent dated 30.10.2013 issued in Se.Mu.Na.Na.Ka.No.27867/2006/A1 and for a consequential direction to forbear the respondents 1 to 5 from interfering with the management of Arulmighu Durga Parameswari @ Kalamman Thirukkoil, Thattanchavadi, Panruti, by the villagers of Thattanchavadi, Panruti, Panruti Taluk, Cuddalore District.

2. The learned counsel appearing for the petitioner submits that the petitioner is a worshiper of Arulmigu Durga Parameswari @ Kalamman Thirukkoil, Thattanchavadi, Panruti, and the said Temple was managed by the villagers for several years. While so, all of a sudden, a Fit Person was appointed by the third respondent vide the impugned order dated 30.10.2013 and the third respondent has no power to appoint the Fit Person and the Temple belongs to the villagers. Challenging the same, the present writ petition has been filed.



W.P.No.25835 of 2014

WEB COPY

3. The learned Government Advocate appearing for the respondents 1 to 5 submits that Arulmigu Durga Parameswari @ Kaliamman Thirukkcoil, Thattanchavadi, Panruti, is a public Temple and the inspection was conducted by the Hindu Religious and Charitable Endowments Department, where, they found that the accounts were not properly maintained by the Villagers, and Hundial and Kalyana Mandapam are also available and therefore, the Fit Person was appointed by the third respondent. Moreover, the petitioner is not a Hereditary Trustee and he has no right to challenge the impugned order. Accordingly, he prays for dismissal of this petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 5.

5. It appears from the submission made by the learned Government Advocate appearing for the respondents 1 to 5 that Arulmigu



W.P.No.25835 of 2014

Durga Parameswari @ Kaliasman Thirukkoil, Thattanchavadi, Panruti, is a public Temple where Hundial and Kalyana Mandapam are also available and the Hindu Religious and Charitable Endowments Department has conducted inspection in the Temple and found that the accounts were not properly maintained by the Villagers and therefore, the Fit Person was appointed by the third respondent vide the impugned order dated 30.10.2013. Moreover, the petitioner is not a hereditary Trustee. Unless the petitioner shows that he is the hereditary or non-Trustee, he has no *locus standi* to challenge the impugned proceedings in the manner known to law.

6. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

03.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



W.P.No.25835 of 2014

WEB COPY

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Villupuram.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Cuddalore-607 001.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
Panruti, Panruti Taluk,
Cuddalore District.
- 5.Fit Person,
Arulmighu Durga Parameswari @ Kaliasman Thirukkoil,
Thattanchavadi, Panruti,
Panruti Taluk, Cuddalore District.



WEB COPY



W.P.No.25835 of 2014

M.DHANDAPANI, J.

ssb

W.P.No.25835 of 2014

03.09.2024