



W.P.No.20625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.20625 of 2024 and

W.M.P.Nos.22550, 22552 & 22554 of 2024

1.P.T.Senthil Kumar
2.T.Chandra

... Petitioners

Versus

- 1.The Commissioner,
Hindu Religious and Charitable Endowments
Board (HR & CE),
Nungambakkam High Road,
Nungambakkam,
Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Cuddalore District 631 502.
- 3.The Executive Officer,
Arul Migu Thillai Kaali Amman Temple,
Chidambaram,
Cuddalore District 608 001.

... Respondents



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Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus to direct the 2nd and 3rd respondents to act in consonance with the order passed by this Court in S.A.No.832 and 833 of 2002 dated 03.01.2014 and not to interfere in our right as Hereditary Sthanka Mirasis of the temple.

For Petitioners : Mr.N.L.Rajah, Senior Counsel for
Mr.M.Raghu Kousik

For Respondents : Mr.N.R.R.Arun Natarajan, SGP

ORDER

This petition is filed seeking to issue a writ of Mandamus directing the 2nd and 3rd respondents to act in consonance with the order passed by this Court in S.A.No.832 and 833 of 2002 dated 03.01.2014 and not to interfere in our right as Hereditary Sthanka Mirasis of the temple.

2. Heard the learned Senior Counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioners is that the Arul Migu Thillai Kaali Amman Temple has been managed by the family ancestors of the



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petitioners for more than 150 years and now the first petitioner holding the position of Sthanka in the above said temple. The first petitioner's father and grandfather were the Sthanka Mirasis holder of the said temple and the same was recognised and upheld in O.S.No.73 of 1943 on the file of the District Munsif Court, Chidambaram. According to the first petitioner, after the death of his father, he was appointed as the temple's hereditary Sthanika Mirasis. But the second and third respondents began to interfere with the petitioners' right over the temple and demanding to hand over the temple keys. Therefore, the petitioners are before this Court.

4. The learned Special Government Pleader appearing for the respondents submitted that the petitioners may be directed to file an application under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, to establish their right over the temple.

5. In view of the above submission, the petitioners are directed to file an application under Section 63(e) of the Tamil Nadu Hindu



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Religious and Charitable Endowments Act, 1959, to establish that they are the legal heirs of Thillai Natrajan and claim right over the Arul Migu Thillai Kaali Amman Temple. The Joint Commissioner of HR & CE is directed to pass appropriate orders on the application to be submitted by the petitioners, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners. Till such time, the Executive Officer shall supervise the poojas to be conducted by the petitioners herein.

6. In view of the above observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

23.07.2024

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



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V.BHAVANI SUBBAROYAN, J.

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