



W.P.No.983 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 03.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.983 of 2025
and
WMP.No.1219 of 2025

1.N.Saravanan
2.S.Kandhasamy
3.T.Sundaravadivel
4.K.Kannan
5.K.Ambigapathy

... Petitioners

Vs.

1.The Commissioner
HR & CE, Uthamar Gandhi Road
Chennai 600 034.

2.The Joint Commissioner
H.R.& C.E., 9th Floor
DPI Complex, College Road
Chennai 600 006.

3.The Assistant Commissioner
HR & CE Department
Chennai.



W.P.No.983 of 2025

4.The Executive Officer
A/m.Kalyana Varadharaja Perumal Temple
Kaladipet, Chennai.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating the proceedings in Se.Mu.Na.Ka.No.745493-63/2021/H1, dated 17.11.2021, on the file of the first respondent herein and to quash the same and direct the second respondent to expediate and complete the proceedings in O.A.No.13 of 1990, within a time frame as may be stipulated by this Court.

For Petitioners : Ms.G.Sumitra

For Respondents : Mr.S.Ravichandran for R1 to R4
Additional Government Pleader
(HR & CE)

ORDER

This Writ Petition is filed challenging the order dated 17.11.2021 whereby, the temple namely *M/s.Sri Ellaiamman Temple at Sathankadu*



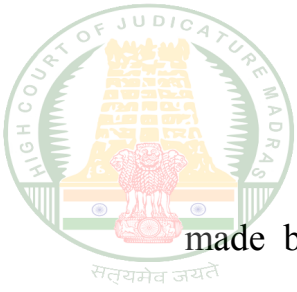
W.P.No.983 of 2025

WEB COPY

Village, Chennai, was made as a sub-temple of *M/s.Arulmigu Kalyana Varatharaja Perumal Temple, Kaladipet, Chennai* and consequently to direct the respondents to expedite and complete the proceedings in OA.No.13 of 1990 which is filed to frame a scheme in respect of the said temple which is said to be pending for the past 25 years.

2. The grievance of the petitioners is that the petitioners have filed the above Original Application in OA.No.13 of 1990 and the same is kept pending before the second respondent without being disposed of. When the petitioners have prayed for larger relief in and by way of framing of scheme, in order to cause further prejudice to the petitioners, the impugned order dated 17.11.2021 is passed making the temple itself as a sub-temple or some other temple. Therefore, the present Writ Petition is filed.

3. When the matter came up for hearing, the learned Additional Government pleader would submit that it is true that OA.No.13 of 1990 is pending before the second respondent and if appropriate time is fixed by this Court, the same will be disposed of within the said time. The action that is



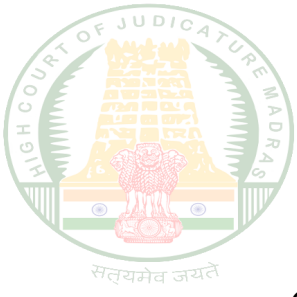
W.P.No.983 of 2025

made by the impugned order dated 17.11.2021 is only for administrative convenience and that will not come in the way of the petitioners claiming any right with reference to the said Original Application.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. The grievance of the petitioners can be redressed by directing the second respondent to dispose of the OA.No.13 of 1990 at an early date and that the order dated 17.11.2021 will not in any manner undo the rights of the petitioners. It is further stated by the learned counsel for the petitioners till date charge has not been taken. If that be so, the same shall await the final order in OA.No.13 of 1990.

6. In view thereof, this Writ Petition is disposed of on the following terms;



WEB COPY



W.P.No.983 of 2025

(i) The second respondent is directed to dispose of OA.No.13 of 1990 within a period of 12 weeks from the date of receipt/production of the website uploaded copy of this order without waiting for the certified copy of the order;

(ii) The taking of charge from the petitioners shall await the final orders that may be passed in the said OA.No.13 of 1990;

(iii) The order dated 17.11.2021 will not in any manner operate as undoing the rights as claimed by the petitioners in the Original Application in OA.No.13 of 1990 which shall be decided on its own merits in accordance with law;

(iii) No costs. Consequently, connected Miscellaneous Petition is closed.

03.02.2025

Neutral Citation : No
dna



W.P.No.983 of 2025

WEB COPY

- 1.The Commissioner
HR & CE, Uthamar Gandhi Road
Chennai 600 034.
- 2.The Joint Commissioner
H.R.& C.E., 9th Floor
DPI Complex, College Road
Chennai 600 006.
- 3.The Assistant Commissioner
HR & CE Department
Chennai.
- 4.The Executive Officer
A/m.Kalyana Varadharaja Perumal Temple
Kaladipet, Chennai.



WEB COPY



W.P.No.983 of 2025

D.BHARATHA CHAKRAVARTHY, J.

dna

W.P.No.983 of 2025
and
WMP.No.1219 of 2025

03.02.2025