



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-07-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 10009 of 2025

AND

WMP NOs. 11313 and 11314 OF 2025

1. K.Gopalakrishnan
No.17, Avvai Street, Shanthi Nagar,
Lawspet, Puducherry-605 008

Petitioner(s)

Vs

1. Union Of India
Rep By Its Chief Secretary,
Puducherry-605 001

2.The Secretary
Department Of Hindu Religious
Institutions And Wakf, 3rd Floor,
Collectorate Complex, Vazhudavur
Road, Puducherry-605 009

3.The Commissioner
Department Of Hindu Religious
Institutions And Wakf, 3rd Floor,
Collectorate Complex, Vazhudavur
Road, Puducherry-605 009



4.R.Ramadass

No.8, Subramaniarkoil Street,
Chellaperumalpettai, Lawspet,
Puducherry-605 008

5.S.Selva Ganapathy

No.132, Main Road, Lawspet
Puducherry-605 008

6.P.Nethaji

No.130, Main Road, Lawspet
Puducherry-605 008

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the respondents 1 and 2 to appoint the Executive officer immediately in compliance with the provisions of the Puducherry Hindu Religious Institutions Act 1972.

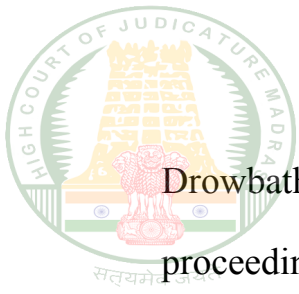
For Petitioner(s): Mrs.A.V.Bharathi

For Respondent(s): Mr.R.Sreedhar,
Additional Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 and 2 to appoint an Executive Officer in compliance with the provisions of the Pondicherry Hindu Religious Institutions Act, 1972.

2. The case of the petitioner is that he is a devotee of the Arulmighu



Drowbathi Amman Devasthanam. The board of trustees were appointed through proceedings dated 12.02.2014. This was only for a period of three years up to 2017. However, subsequent Gazette was issued by appointing the same trustees for three more years from 2017 to 2020.

3. A writ petition was filed before this Court in WP No.9894 of 2020 challenging the proceedings of the Commissioner of HR&CE department dated 29.05.2020 and for making fresh appointment. This writ petition came to be disposed of by an order dated 15.06.2021 and the relevant portions are extracted hereunder :-

6. The board members must be drawn from all sections of the society and it would thus be appropriate for the commissioner to put in place a proper procedure for selection of persons to serve upon the board. The suggestions for candidates must also be broadbased so as to encompass all sections of society. Having collated the same, he is to then examine whether the persons suggested attract any disqualification under Section 6, consolidate the list and forward the same to the Government for confirmation.

7. Mr.Kumaran assures the Court that the impugned communicaiton is only a proposal and will not be pursued. Let the exercise be commenced afresh bearing in mind the observations made in the preceding paragraph and a new proposal be formulated and forwarded to the Government within a period of six



WEB COPY

weeks from today. While consolidating the new list, the Commissioner will ensure that there is due application of mind to the provisions of Section 6 to ensure that none of the members proposed would attract the disqualifications as contained therein. The tenure of the present board has, in fact, expired but the board continues to function as an interim measure.

4. The grievance of the petitioner is that inspite of the above directions, no action was taken and the same five trustees continue to administer and manage the temple. It is under these circumstances, the present writ petition has been filed before this Court.

5. When the writ petition was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondents submitted that through proceedings dated 24.03.2025, a fit person has been appointed to take over the administration of the temple.

6. The learned counsel for the petitioner submitted that inspite of the appointment of the fit person, the same trustees are continuing to manage and administer the temple.

7. In the considered view of this Court, a fit person / Executive Officer has already been appointed for the temple and therefore, the



management and administration of the temple must be done only by that officer.

The erstwhile trustees cannot continue to administer and manage the temple and if they interfere with the functioning of the Executive Officer, action must be initiated against them, in accordance with law. It is made clear that the administration and management of the temple can be done only by the Executive officer and the erstwhile trustees will not interfere with the same.

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

04-07-2025

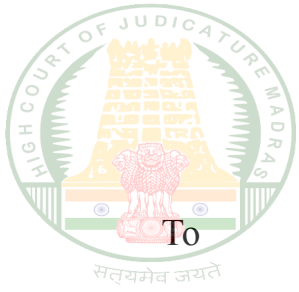
rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB CUM 1.Union Of India

Rep By Its Chief Secretary,
Puducherry-605 001

2.The Secretary

Department Of Hindu Religious
Institutions And Wakf, 3rd Floor,
Collectorate Complex, Vazhudavur
Road, Puducherry-605 009

3.The Commissioner

Department Of Hindu Religious
Institutions And Wakf, 3rd Floor,
Collectorate Complex, Vazhudavur
Road, Puducherry-605 009

4.R.Ramadass

No.8, Subramaniarkoil Street,
Chellaperumalpettai, Lawspet,
Puducherry-605 008

5.S.Selva Ganapathy

No.132, Main Road, Lawspet
Puducherry-605 008

6.P.Nethaji

No.130, Main Road, Lawspet
Puducherry-605 008



WEB COPY

WP No. 10009 of 2025





WEB COPY

WP No. 10009 of 2025



N.ANAND VENKATESH J.
rka

WP No. 10009 of 2025
WMP NO. 11313 OF
2025, WMP NO. 11314
OF 2025

04-07-2025