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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

W.P. Nos.13882 & 15890 of 2025

and WMP. No.15600 & 17981 of 2025

Kadambadi Inoothu Vagai Kongu,
Chettiar Dharma Paribalana Sabai,
No.6/45, Main Road, Avinashi, Tiruppur District,
rep. Herein by its President,
Sri.A.Suresh Kumar

Petitioner in both WPs

Vs

1.The Commissioner,
Hindu Religious and Charitable Endowments
Administration Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai- 600 034.

2.Dr.A.Sakthivel

3.Sri.K.Ponnusamy

4.Sri.M.Arumugham

5.Sri.P.Vijayakumar

6.Smt.K.Kavithamani

7.The Executive Officer,
Avinashilingeswarar Temple,
Avinashi, Tiruppur District,
Tiruppur District.

8.A.T.Sathiyamoorthi
(R8 impleaded vide order dated 28.10.2025)

..Respondents in both WPs

PRAYER in W.P. No.13882 of 2025: This petition is filed under Article



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226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to quash the order dated 02.04.2025 and for a consequential direction to the respondents to set aside tender process made in Notice No.1/AVI/2025 dated 25.02.2025 issued by the respondents and direct the respondents to grant permission to our Trust to carry out renovation of the “Avinashiappar Tirumana Mandabam, situate in S.No.93 Part, Avinashi Village and Taluk, Tiruppur District as a donor work as contemplated under Rule 11 of the Management and Preservation of Properties of Religious Institution Rules, 1964 of the Tamil Nadu Hindu Religious & Charitable Endowments Act, 1959.

PRAYER in W.P. No.15890 of 2025: This petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from proceeding with the tender process dated 31.03.2025 made in Tender Reference No.2/AVI/2025 issued by the respondents 2 to 7 and consequentially direct the respondents 2 to 7 to grant permission to the petitioner to carry out renovation of “Karunambikai Tirumana Mandabam, situate in S.No.93 Part, Avinashi Village & Taluk, Tiruppur District as a “Donor Work” as contemplated under Rule 11 of the Management and Preservation of Properties of Religious Institution Rules, 1964 by considering their representation dated 03.04.2025.

For Petitioner : Mr.T.S.Vijaya Raghavan in both WPs

For Respondents : Mr.K.Karthikeyan

Special Government Pleader for HR & CE
for R1 & R7 in both WPs

No Appearance for R2 to R6 in both WPs

COMMON ORDER



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W.P. No.13882 of 2025 has been filed by the petitioner to quash the order dated 02.04.2025 and for a consequential direction to the respondents to set aside tender process made in Notice No.1/AVI/2025 dated 25.02.2025 issued by the respondents and direct the respondents to grant permission to petitioner's Trust to carry out renovation of the “Avinashiappar Tirumana Mandabam, situate in S.No.93 Part, Avinashi Village and Taluk, Tiruppur District as a donor work as contemplated under Rule 11 of the Management and Preservation of Properties of Religious Institution Rules, 1964 of the Tamil Nadu Hindu Religious & Charitable Endowments Act, 1959.

2. W.P. No.15890 of 2025 has been filed by the petitioner to forbear the respondents from proceeding with the tender process dated 31.03.2025 made in Tender Reference No.2/AVI/2025 issued by the respondents 2 to 7 and consequentially direct the respondents 2 to 7 to grant permission to the petitioner to carry out renovation of “Karunambikai Tirumana Mandabam, situate in S.No.93 Part, Avinashi Village & Taluk, Tiruppur District as a “Donor Work” as contemplated under Rule 11 of the Management and Preservation of Properties of Religious Institution Rules, 1964 by considering their representation dated 03.04.2025.



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3. It has been brought to the notice of this Court by filing counter affidavit as well as additional counter affidavit of the 7th respondent that the tender process has already been completed and the successful tenderer has also commenced the work of renovation of two Kalyana Mandapams. In the light of the above, the prayer in W.P. No.15890 of 2025 does not survive for consideration.

4. Insofar the consequential relief sought for in the other W.P. No.13882 of 2025, it is virtually not available to be granted to the petitioner. However, Mr.T.S.Vijayaragavan, learned counsel for the petitioner submits that the petitioner has already moved an application under Section 63(c) of the Hindu Religious and Charitable Endowments Act, 1959 (in short 'Act'), in O.A. No.19 of 2024. He would only seek for reservations that the tender awarded and consequently this unsuccessful challenge before this Court and the fact that the funds of the temple are being utilised for the renovation of the Mandapam, should not be put against the petitioner in the petition under Section 63(c) of the Act.

5. The learned Government Advocate appearing for the respondents



would submit that the prayer sought for in these writ petitions have become infructuous and no further reliefs need to be granted in these Writ Petitions.

6. Considering the fact that the tender process has already been completed and the successful tenderer has also commenced the renovation works and 40% of the work has also been completed as on date, the petitioner is not entitled to any relief as prayed for in these writ petitions. However, at the same time, the Application under Section 63(c) of the Act, has been filed even in 2024 and the same is pending in OA. No.19 of 2024 before the Joint Commissioner.

7. Considering the Application pending with the Joint Commissioner, who is however not a party to both the writ petitions, I am inclined to issue a direction to the Joint Commissioner, HR & CE, Tiruppur to dispose of O.A. No.19 of 2024 within a period of six(6) months and it is made clear that the tender process or utilisation of temple funds for the purposes of renovation shall not be put against the revision petitioners and Application under Section 63(c) of the Act, shall be decided on merits and in accordance with law. Since the Joint Commissioner, Tiruppur is not a party in the Writ Petitions, on receipt of the copy of this order, the first respondent shall



communicate the directions to the said Joint Commissioner and from the date of communication, the Joint Commissioner shall dispose the Application under Section 63(c) of the Act, within a period of six (6) months.

8. In fine, W.P. No.15890 of 2025 is infructuous and W.P. No.13882 of 2025 is disposed of with the above direction. Consequently, connected Miscellaneous Petitions are closed. No costs.

25.11.2025

rkp

Index: Yes/No

Internet: Yes/No

To

1. The Commissioner,
Hindu Religious and Charitable Endowments
Administration Department, Uthamar Gandhi Salai,
Nungambakkam,
Chennai- 600 034.

2. The Executive Officer,
Avinashilingeswarar Temple,
Avinashi, Tiruppur District,
Tiruppur District.

3. The Joint Commissioner,
HR & CE Department,
Tiruppur.

6/8



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P.B.BALAJI.J.,

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