



W.P.No.15738 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15738 of 2025

Puducherry Heritage Town Sengunthar
Youth Welfare Association (Reg No.5/24) Puducherry,
Rep By Its President S.M.Pandian,
S/o.Manivelan, 126, Aurobindo Street,
Puducherry-605 001.

... Petitioner

/versus/

1. The Government Of Union Territory of Puducherry,
Rep. By its Chief Secretary,
Chief Secretariat,
Goubert Avenue,
Puducherry-605 001

2. The Secretary To Government
Department of Hindu Religious Institutions,
Government of Puducherry,
Secretariat, Goubert Avenue,
Puducherry-605 001.

3. The Commissioner,
Department of Hindu Religious Institutions,
Government of Puducherry,
Collector Office Building,
Puducherry-605 001.

4. Arulmigu Sri Vedapureeswarar Sri Varadaraja Perumal Devasthanam,
Rep. By its Executive Officer,
No.22 Mahatma Gandhi Road,
Puducherry-605 009.

... Respondents



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Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the representations dated 21.11.2024 and 15.04.2025 submitted by the petitioner in accordance with law.

For Petitioner : Ms.Gopika Nambiar
For Respondents : Mr.R.Sreedhar,
Additional Government Pleader (Pondy),
for R1 to R4

ORDER

The writ petition is filed to request leasing the premises belonging to '*Arulmigu Sri Vedapureeswarar and Sri Varadaraja Perumal Devasthanam*' to the petitioner's Association.

2. Regarding the aforementioned prayer, Mr. R. Sreedhar, Learned Additional Government Pleader (*Puducherry*) appearing on behalf of respondents 1 to 4, submits that any temple premises that may be rented out will only be made available through public auction. Therefore, this is noted. Tenancy can only be granted via public auction, allowing any interested persons to participate.

3. However, regarding the prayer made by the petitioner's



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Association, this Court has passed orders in ***M/s.South Indian Senguntha***

Mahajana Sangam -vs- State of Tamilnadu & others (2025:MHC:978),

holding that the perpetuation of caste is opposed to public policy. No Association with by-laws restricting membership by caste can exist, and the name of the caste may not be mentioned in the Association, considering both the Societies Registration Act, 1860, and the Tamil Nadu Societies Registration Act, 1975. The following directions are issued in the matter after detailed consideration of the issues:

“35. In view thereof, these writ petitions are disposed of with the following directions:

i. The petitioners/their societies shall approach the Jurisdictional Registrars and submit the relevant forms:

(a) changing the name of the society/association by dropping the caste/sub-sect name;

(b) amending the goals from perpetuating/proliferation caste/sub-sect;

(c) amending the membership bye-law not making caste as a criteria and upon the forms being furnished, the same shall be taken on file and dealt with and approved as per the rules;

ii. Once they have submitted the above, they will be entitled to approach this Court again for any relief(s) for consideration of the relief(s) on their merits;

iii. The Inspector General of Registration shall issue directions and all the jurisdiction Registrars of Societies



shall forthwith draw a list of these societies that have caste/sub-sect as part of their names, caste perpetuation/proliferation as their goal and membership from among caste members and require them to comply with the following :

(a) Dropping Caste/Sub-Sect name from their Society name;

(b) Amending their goal from perpetuation/proliferation of caste; (c) Amending their membership clauses in the by-laws etc., from making caste/sub-sect as a criterion and thus comply with Circular No.1 of 2024. If the said societies do not comply, then treat their activity as unlawful and cancel their registration as per Section 28 of the Tamilnadu Societies Registration Act, 1975, and their assets be dealt with in the manner known to law.

iv. The above exercise in paragraph (iii) above shall be commenced within three months from the date receipt of the web copy of the order and shall be completed as expeditiously as possible in any event within 6 months therefrom;

v. In case these societies run any private or aided schools, colleges or other educational institutions, it should be ensured that no board depicting the caste name either directly or indirectly in any manner is mentioned in the campus of the school or in its records;

vi. In case there are caste appellations in the names of the institutions, notice must be issued to the institutions to give up the names of the caste within a period of four



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weeks from the date of receipt of the web-copy of this order, and the names should be changed and if they fail to comply, steps to be taken to de-recognize the institutions and the students to be transferred to some other recognised institution. The said exercise shall be completed within the academic year 2025-2026, failing which, the students should be transferred to other institutions in the academic year 2026-2027;

vii. The same exercise shall be done with reference to the schools/institutions that are run by another individual or Trust, also ensuring that there are no case appellations/names.

viii. The Government shall remove the caste names (Kallar Reclamation, Adi-Dravidar Welfare, etc.) as prefixes or any other caste names as suffixes in the school names, and they shall be referred only as Government schools followed by their place of location. If the donor's name is mentioned in the name of the school, the name of the donor alone shall be mentioned after removing the caste prefix or suffix associated with the name of the donor or their family."

The same shall apply *mutatis mutandis* to the Union Territory of Puducherry with reference to the Societies registered under the Societies Registration Act, 1860, as amended by the Union Territory of Puducherry. As far as Puducherry is concerned, both the name of the association and the bye-



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laws and objects shall be insisted upon for amendments. The directions given in

the aforesaid writ petitions shall be followed throughout the Union Territory of Puducherry by appropriately issuing notices to the associations, including the petitioner. The timelines shall be from the date of receipt/production of the web copy of this order. The directions with reference to caste appellations in educational institutions, hostels, etc., shall also be complied with. If the petitioner's association drops the name of the caste and also amends the bye-law, it may then approach the Courts of law under Article 226 of the Constitution of India for any relief.

5. This writ petition is disposed of on the above terms. The authorities shall act on the web copy of the order. There shall be no order as to costs.

29.04.2025

Neutral citation :Yes.
bsm

To,
1. The Chief Secretary,
The Government Of Union Territory of Puducherry,
Chief Secretariat,

6/10



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Goubert Avenue,
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2. The Secretary To Government
Department Of Hindu Religious Institutions,
Government Of Puducherry,
Secretariat, Goubert Avenue,
Puducherry-605 001.

3. The Commissioner,
Department Of Hindu Religious Institutions,
Government Of Puducherry,
Collector Office Building,
Puducherry-605 001.

4. The Executive Officer,
Arulmigu Sri Vedapureeswarar Sri Varadaraja Perumal Devasthanam,
22 Mahatma Gandhi Road,
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5. The Government Pleader (Puducherry), High Court, Madras.



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The matter is listed under the caption “for being mentioned”.

2. In the order dated 29.04.2025 passed in W.P.No. 15738 of 2025, the paragraph Number is omitted in respect of paragraph No. 4.

3. In view of the above, the Registry is directed to issue a fresh copy of the order after carrying out the said correction.

24.06.2025

ns1



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nsI

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24.06.2025