



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN

WP No. 18130 of 2025

and

WMP No. 20294 of 2025

1. Arulmigu Sri Vallaba Vinayagar
Cultural And Religious Trust, Rep By
Its General Secretary, J.Balasundaram,
S/o.Jayaram, No.2159-b, 8th Street,
Mullai Nagar, Anna Nagar, West
Chennai-600 040

Petitioner(s)

Vs

1. The Commissioner
Hindu Religious and Charitable
Endowment Department,
Chennai District

2.The Joint Commissioner,
Chennai Region-II
Hindu Religious and Charitable
Endowment Department,
Chennai District

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Triplicane, Chennai-600 005



4. The Executive Officer

A/m.Egambareswar Thirukovil,
Aminthakarai, Chennai-600 029

Respondent(s)

PRAYER

Calling for the records of the 3rd respondent, pertaining to the impugned proceedings Se.Mu.Na.No.675/2025/AA2 dated 24.4.2025 and consequential notice of the 4th respondent dated 24.4.2025 and quash the same and consequently direct the 1st respondent to dispose of the appeal in E.Office Filling No.1533495 of 2025 dated 5.5.2025 preferred by the office bearers of the petitioner within a time frame.

For Petitioner(s): Mr.V.Srikanth
For Mr.P.Seshadri

For Respondent(s): Mr.N.R.R.Arun Natarajan,
Special Government Pleader

ORDER

The petitioner seeks for following reliefs. The Writ of Certiorarified Mandamus has been filed to call for the records of the 3rd respondent, pertaining to the impugned proceedings Se. Mu. Na. No. 675/ 2025



/ AA2 dated 24.4.2025 and consequential notice of the 4th respondent dated 24.4.2025 and quash the same and consequently direct the 1st respondent to

WEB COPY

dispose of the appeal in E.Office Filling No.1533495 of 2025 dated 5.5.2025.

2. The case relates to Arulmigu Sri Vallaba Vinayagar Temple situated at Anna Nagar, West Chennai - 40. The petitioner claims that they have been in the management of Temple from 1982 onwards. They filed an application seeking framing of a Scheme under Section 64 of the Hindu Religious & Charitable Endowments Act. The application was numbered as O.A.No.11 of 2012. It came to be dismissed on 21.03.2025.

3. Aggrieved by the same, the petitioner has preferred a regular appeal before the Commissioner, HR & CE Department, Chennai. Pending the Statutory Appeal, impugned order came to be passed, appointing a fit person to take control of the institution. Hence the Writ Petition.



4. When the matter came up for admission, I directed

Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for HR & CE to take notice and come up with instructions. He has produced typed set of papers, pointing out that between the period i.e., from 15.05.2025 to 20.05.2025, an income of merely Rs.4,94,000/- has been collected in the Temple. He points out in contra distinction, when it was under the control of the petitioner, an average sum of Rs.3,00,000/- was collected every month. He states that it is in the interest of Temple that the Thakkar continues and the petitioner dispossess from the respective officers as trustees.

5. Mr.V.Srikanth, learned counsel for the petitioner states that the copy of the accounts including the bank accounts of the Temple will be handed over to the Executive Officer within a period of two (2) weeks from today.

6. I have carefully considered the submissions of Mr.V.Srikanth and Mr.N.R.R.Arun Natarajan and I have gone through the records.



7. For mere dismissal of the application to frame the Scheme does

not mean that the Department can walk into the Religious Institution and take over the management. There has to be a finding that the Temple has been mismanaged or it is not in the interest of the Temple that those in management should continue in their offices. However, taking note of the fact that there has been a drastic difference in the income that has been generated, I am inclined to pass the following order:

(i) The fit person shall act as an Executive Officer and he shall assist the petitioner in the management of the Temple;

(ii) The petitioner shall maintain proper accounts for the income of the Temple and shall submit the same for the scrutiny of the Executive Officer;

(iii) The copy of Bank Accounts being operated shall be given to the Executive Officer;

(iv) The appeal presented in E.Office Filing No.1533495 of 2025 on 05.05.2025 shall be disposed of within a period of four (4) months from the date of receipt of a copy of this order.



5.No policy decision will be taken and no fresh financial out flow

will be taken by the petitioner without concurrence of the Executive Officer.

WEB COPY

6. The Writ Petition stands disposed of. There shall be no order as

to costs. Consequently, the connected miscellaneous petition stands closed.

22-05-2025

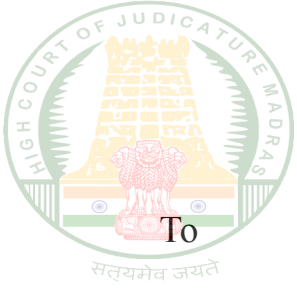
Ssi/dna

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB COPY

1. The Commissioner

Hindu Religious And Charitable
Endowment Department,
Chennai District

2. The Joint Commissioner, Chennai
Region-II

Hindu Religious And Charitable
Endowment Department, Chennai
District

3. The Assistant Commissioner
Hindu Religious And Charitable
Endowment Department, Triplicane,
Chennai-600 005

4. The Executive Officer
A/m.Egambareswar Thirukovil,
Aminthakarai, Chennai-600 029



WEB COPY

WP No. 18130 of 2025



V.LAKSHMINARAYANAN J.
ssi/dna

WP No.18130 of 2025
and WMP No.20294 of 2025

22-05-2025