



W.P.No.23117 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**  
and  
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

**W.P.No.23117 of 2021**  
and  
**W.M.P.No.24367 of 2021**

S.Chandra  
W/o.Saravanan

... Petitioner

vs.

1. Government of Tamil Nadu  
Represented by its Secretary  
Hindu Religious and Charitable Endowment Department  
Fort St.George  
Chennai-600 009.
2. The Commissioner  
Hindu Religious and Charitable Endowment Department,  
Chennai-600 034.
3. The Joint Commissioner  
Hindu Religious and Charitable Endowment Department,  
Salem District - 636 001.
4. The Assistant Commissioner  
Hindu Religious and Charitable Endowment Department,  
Salem District - 636 001.
5. The District Collector

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District Collector Officer  
Salem District.

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6. M.Perumal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to take appropriate action in the representation dated 24.09.2021 made by the petitioner.

For Petitioner : Mr.P.Ganesan  
For Respondents : Mr.T.K.Saravanan  
Additional Government Pleader  
for R1 and R5  
Mr.N.R.R.Arun Natarajan  
Special Government Pleader  
for R2 to R4  
Mr.M.Digvijaya Pandian, for R6

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### **ORDER**

[Order of the Court was made by M. SUNDAR, J.]

Subject matter of captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity, convenience and clarity} is a 'temple which goes by name Sri Devi Bhoodevi Shri Sendraya Perumal Temple situate in Thalavaipatty Village, Salem Taluk, Salem District' {hereinafter 'said Temple' for the sake of brevity, convenience and clarity}.



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WEB COPY 2. Captioned WP is predicated on a 'representation dated 24.09.2021' {hereinafter 'said representation' for the sake of brevity, convenience and clarity}.

3. Mr.P.Ganesan, learned counsel for writ petitioner, Mr.T.K.Saravanan, learned Additional Government Pleader for R1 & R5, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for R2 to R4 and Mr.M.Digvijaya Pandian, learned counsel for R6 are before this Court.

4. Adverting to said representation, learned counsel for writ petitioner submits that the grievance of writ petitioner is twofold. One is the administration of the Temple (Hundi collection being allegedly syphoning away etc.,) and another is encroachment of the temple land.

5. Mr.M.Digvijaya Pandian, learned counsel for R6 denies the allegation of syphoning of funds but submits that a fit person has since been appointed and the fit person is in administration qua said Temple.

6. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for Tamil Nadu Hindu Religious and Charitable Endowment Department,



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adverting to counter affidavit of R4 dated 06.12.2021 and more particularly, paragraph Nos.5 & 11 thereof confirms that an Executive Officer i.e., Executive Officer of Arulmigu Ekambareeswarar Kamachiamman Kovil, Salem, has been appointed as a fit person qua said Temple and as regards alleged encroachment of temple lands, proceedings under Section 78 of 'the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 [Tamil Nadu Act 22 of 1959]' {hereinafter 'TNHR & CE Act' for the sake of brevity} will be kick started as expeditiously as the official business of official respondents would permit but in any event, within eight weeks from today i.e., on or before 06.08.2025.

7. Proceedings under Section 78 of TNHR & CE Act necessarily means that R6 and / or alleged encroachers qua said temple land would be issued a notice and there would be adjudication by R3. We make it clear that all rights and contentions of R6 and / or any other similarly placed person, who is issued with notice in Section 78 proceedings before R3 are preserved and this order will not impact their rights in any manner.

8. This Court is of the considered view that recording the stated position of parties as done supra will suffice to give a closure to the



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captioned WP. We do so.

**WEB COPY** Captioned WP is disposed of in the aforesaid manner. Consequently, captioned Writ Miscellaneous Petition is also disposed of as closed. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

11.06.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

*mk*

To

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**M.SUNDAR, J.,  
and  
HEMANT CHANDANGOUDAR, J.,**

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