



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.P.No. 27081 of 2023

And

W.M.P.No. 26524 of 2023

Chennai Sri Muthukumaraswamy Devasthanam
6th Day Annual Festival by Kasukadai Varthagargal
No.98, Nainiappan Nayakkan Street,
Chennai – 600 003.

Represented by Senior Trustee M.K.Chelliappan ... Petitioner

..Vs..

The Executive Officer
Sri Muthukumaraswamy Devasthanam
Rasappa Chetty Street, Poonga Nagar,
Chennai – 600 003.

...Respondent

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari calling for the entire records from the respondent herein pertaining to the impugned proceedings dated 22.07.2023 and quash the same.

For Petitioner :: Mr. V.Srikanth

For Respondent :: Mr. R.Bharanidharan
Senior Counsel

**ORDER**

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Heard Mr. V.Srikanth, learned counsel for the petitioner and Mr.R.Bharanidharan, learned Senior Counsel for the respondent.

2. The writ petitioner challenges the impugned proceedings dated 22.07.2023.

3. It is the grievance of the writ petitioner that the communication dated 17.11.2021 on the file of the Commissioner was never served on the petitioner / Devasthanam and therefore, they were deprived of an opportunity to contest the proceedings.

4. Mr.R.Bharanidharan, learned Senior Counsel for the respondent would submit that the said communication of the Commissioner was a general direction pertaining to various temples and on instructions from the Department, he fairly submits that the petitioner was not put on notice about the proceedings dated 17.11.2021. He would also submit that since the petitioner has been deprived of an opportunity, the petitioner may be shown an indulgence.



5. The specific case of the petitioner is that the petitioner is a special endowment and there has been no interruption in performance of the Kattalai as well and therefore, the proceedings dated 17.11.2021 in Se.Mu.Na.Ka.No. 74593/2021/H-1 has to be necessarily set aside, when the said proceedings have taken place behind the back of the petitioner.

6. It shall however be open to the respondent to initiate fresh proceedings, if so advised and necessary, of-course after putting on notice the petitioner and hearing the petitioner before passing any final orders. It is made clear that the order setting aside shall enure only to the benefit of the petitioner and not any other temple/person/body.

7. In the light of the above, this Writ Petition stands allowed. Consequently, connected Miscellaneous Petition stands closed. No costs.

27.10.2025

vsg
Index: Yes/No
Internet: Yes/No
Speaking / Non Speaking Order



P.B.BALAJI, J.,

vsg

To

The Executive Officer
Sri Muthukumaraswamy Devasthanam
Rasappa Chetty Street, Poonga Nagar,
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