



WEB COPY



W.A.No.2698 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR**

**W.A.No.2698 of 2024 and
C.M.P.Nos.19625 & 19626 of 2024**

S.Ramarasu

... Appellant

Vs.

1.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Hindu Religious and Charitable Endowments Office,
RDO Campus,
Perambalur,
Perambalur District.

2.The Inspector,
Hindu Religious and Charitable Endowments Department,
Kunnam Taluk, Perambalur District.

3.The Inspector,
Kunnam Police Station,
Kunnam,
Perambalur District.

4.The President,
Keezhaperambalur Panchayat,
Page 1 of 10



W.A.No.2698 of 2024

Keezhaperambalur Village,
Kunnam Taluk,
Perambalur District.

5.Kamaraj

6.Senthil

7.Selvaraj

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P.No.18860 of 2024 dated 30.07.2024 and allow the writ appeal.

For Appellant : Ms.B.N.Sivagamasundari

For R1 & R2 : Mr.NRR.Arun Natarajan,
Special Government Pleader

For R3 & R4 : Mr.E.Vijay Anand,
Additional Government Pleader

For R5 : Notice Returned

For R6 & R7 : No appearance

J U D G M E N T

(Judgment of the Court is made by *R.SURESH KUMAR, J.*)

In fact this Intra Court Appeal has arisen out of the interlocutory order passed by the Writ Court in W.P.No.18860 of 2024, dated 30.07.2024.



W.A.No.2698 of 2024

2. That the appellant claimed to be the Hereditary Trustee of the temple, called Arulmighu Aiiyanar Temple, Keezhaperambalur Village, Kunnam Taluk, Perambalur District. Under the said capacity, the appellant/writ petitioner wanted to conduct the affairs of the temple including Kumbabishekam, which was slated to be conducted on 08.09.2024.

3.However, the difficulties found by the appellant/writ petitioner at that time was that the private respondents wanted to interfere with the affairs and administration of the temple, which triggered the appellant/writ petitioner to approach the Writ Court by filing the said main writ petition with a prayer of Writ of Mandamus seeking a direction to the respondents 1 to 3, who are officials of the HR & CE Department to forebear the respondents 4 to 7/the private respondents from interfering with the functionality of the Hereditary Trustees of the concerned temple.

4.Since there has been a date fixed for conducting the Kumbabishekam on 08.09.2024, the learned Writ Court was pleased to grant an interim order on



W.A.No.2698 of 2024

30.07.2024, which is impugned herein, by which, the Writ Court had directed

the Joint Commissioner of HR & CE Department to visit the temple and find out whether the temple is ready for Kumbabishegam and if it is ready for Kumbabishekam, a fit person can be appointed by the HR & CE Department to perform the Kumbabishekam where neither the appellant/writ petitioner nor the private respondents would be involved to manage the affairs of the Kumbabishekam and whatever the temple fund collected by the village people can be received from them by the police concern and to be handed over to the HR & CE Department/fit person and with the help of the said fund as well as the other fund to be released by the HR & CE Department, Kumbabishekam might be done. This is the limited relief that has been given by the learned Judge through the impugned order dated 30.07.2024.

5.Though against the said order, the present Intra Court Appeal had been directed at the instance of the writ petitioner, when the case is taken up for hearing today as final hearing, the learned counsel appearing for the



W.A.No.2698 of 2024

appellant/writ petitioner and the learned Special Government Pleader for HR &

WEB CE Department would submit that pursuant to the order dated 30.07.2024,

which is impugned herein, the Kumbabishekam was performed on 08.09.2024

at the temple concerned by the fit person appointed in this regard by the

Department. Therefore, the prayer sought for in the main writ petition has been

accomplished by the appellant/writ petitioner as the private respondents have

not been permitted to meddle with the affairs of the temple and therefore,

nothing would survive insofar as the prayer sought for in the main W.P itself.

6.He would also submit that insofar as the temple fund is concerned, it was received from the village people by the police, who in turn handed over the same to the fit person and it has been credited to the temple account and the day to day affairs as of now is being looked after by the fit person, who had already been appointed pursuant to the directions issued by the Writ Court by an order dated 30.07.2024. However, it is submitted by the learned counsel for the appellant/writ petitioner that, though a fit person was appointed pursuant to the



W.A.No.2698 of 2024

order dated 30.07.2024 by the Writ Court only for the limited purpose of

performing Kumbabishekam, even after completing the Kumbabishekam on 08.09.2024, the fit person is still continuing and the bank transactions and bank account is being operated only by the fit person and not allowing the Hereditary Trustee/appellant to act upon. However, the statement given by the learned counsel for the appellant is denied by the learned Special Government Pleader appearing for the HR & CE Department, who would submit that only the Hereditary Trustees are managing the affairs of the temple and the fit person already laid off his hands from the affairs of the temple, he contended.

7.Be that as it may, insofar as the prayer that has been asked by the writ petitioner by way of a Mandamus in the main writ petition is only to restrain the private respondents from interfering with the affairs of the temple including performing the Kumbabishekam. However, for the purpose of performing the Kumbabishekam, though a fit person was directed to be appointed and who was also appointed to perform Kumbabishekam and completed the



W.A.No.2698 of 2024

Kumbabhishekam, the fit person cannot continue to manage the affairs of the

temple. Therefore, in this regard, if at all the fit person is still continuing to manage the affairs of the temple concern, including maintaining the bank account or transacting the bank account of the temple, the same immediately be handed over to the appellant/Hereditary Trustee, whose status has already been recognised by the HR & CE department.

8.Insofar as the other issues are concerned, with regard to the continuous maintenance of the temple where the appellant expects trouble from the private respondents are concerned, if any further grievance is noticed by the appellant/writ petitioner, the same can be brought to the notice of the authorities concerned including the Department which can be resolved by them then and there in the manner known to law.

9.Therefore, it is made clear that the appointment of the fit person pursuant to the order impugned dated 30.07.2024 is only for the limited purpose



W.A.No.2698 of 2024

of performing Kumbabishekam of the temple which has admittedly been

performed on 08.09.2024. Therefore, the fit person has no further role to play

in the affairs of the management of the temple concern as of now. Therefore, to

that extent, the Hereditary Trustees will take over the management of the

Temple, if not already taken over.

10.It is brought to the notice of this Court by the learned Special Government Pleader appearing for HR & CE Department that the appellant/writ petitioner being the Hereditary Trustee himself is an encroacher of the temple land and this complaint has been received by the officials of the HR & CE Department. If that being so, the same can be enquired into by the concerned authorities of the HR & CE Department by giving due opportunity to the appellant/writ petitioner in the manner known to law, especially, as per the provisions of the HR & CE Act.

11.With these observations, the Writ Appeal is disposed of. The parties can make a plea before the Writ Court to take up the main Writ Petition which is



W.A.No.2698 of 2024

still pending and dispose it on merits and in accordance with law at the earliest.

No costs. Consequently connected miscellaneous petitions are also closed.

(R.S.K., J.) (H.C., J.)

09.09.2025

sli

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

R.SURESH KUMAR, J.

AND

HEMANT CHANDANGOUDAR, J.

sli



W.A.No.2698 of 2024

To

1.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Hindu Religious and Charitable Endowments Office,
RDO Campus,
Perambalur,
Perambalur District.

2.The Inspector,
Hindu Religious and Charitable Endowments Department,
Kunnam Taluk, Perambalur District.

3.The Inspector,
Kunnam Police Station,
Kunnam,
Perambalur District.

4.The President,
Keezhaperambalur Panchayat,
Keezhaperambalur Village,
Kunnam Taluk,
Perambalur District.

W.A.No.2698 of 2024

and

C.M.P.Nos.19625 & 19626 of 2024

09.09.2025