



W.A No. 2750 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

**WA No. 2750 of 2025 AND
CMP Nos. 22093 & 22092 OF 2025**

M. Raghu
S/o. G. Muthu, No.16, Poonamallee High Road,
Pillaiyar Koil St, Maduravoyal, Chennai 095.

..Appellant

Vs

1. The Commissioner
Hindu Religious and Charitable Endowment Board,
Nungambakkam, Chennai 034.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments
Department, Chennai Division II, O/o. the Learned
Joint Commissioner, Mylapore, Chennai 4.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments
Department, Chennai Division II, Yadava Street,
Padi, Chennai 050.
4. The Executive Officer
A/m. Marka Sagaya Eswarar Vagayara Temple,
Poonamallee High Road, Madurovoyal, Chennai
095.

..Respondents



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Prayer : Writ Appeal under Clause XV of Letters Patent to set aside the order in WP No.22763/2025 dated 26.06.2025 and thereby allow the Writ Appeal.

For Appellant : Mr.L.Chandrakumar
for B.Sundarapandiyan

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader
- for R1 to R3

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

The present writ appeal has been directed against the order dated 26.06.2025 made in W.P.22763 of 2025.

2. The present appellant is the writ petitioner, who approached the Writ Court with a prayer of Mandamus to consider his representation dated 23.04.2025, thereby sought for a direction to the fifth respondent ie., Executive Officer, Arulmighu Sri Varasiddhi Vinayagar Thirukkcoil, Pillayar Koil Street, Maduravoyal, Chennai to hand over the office key of the said temple.

3. Before the writ Court it was contended by the respondent HR and CE Department that, in the year 2016 itself the administration of the temple has



been completely handed over to the Department and it is now under the administration of HR & CE Department, and an Executive Officer also has been appointed, who is the fourth respondent herein. When that being so, all of a sudden in 2025 a writ petition was filed by the petitioner seeking for handing over the office key of the temple, which was negated by the learned Judge through the impugned order.

4. Though Mr.L.Chandrakumar, learned counsel for the petitioner would contend that the petitioner has been in the helm of affairs of the temple for several years and now since he has been prevented from maintaining the temple, he wants such right of maintaining the temple.

5. However, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for the respondent HR & CE Department would submit that at least four pieces of land of various extent belongs to the temple is attempted to be encroached upon by the petitioner, and such attempt was thwarted by the action taken by the Department. That only triggered the appellant to seek for such a relief to hand over the office key. When this Court specifically asked as to why the office key is required by the appellant,



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learned counsel for the appellant would submit that the prayer was wrongly couched, however the real intention is only to get a permission from the HR and CE Department to maintain the temple.

6. The word "maintain" would include administration of the temple, which cannot be permitted to be handed over to the appellant being an individual, as the temple has already been under the management and administration of the HR and CE Department. Insofar as the right of the petitioner as a devotee to go to the temple, to perform pooja and worship the God is concerned, that cannot be prevented by the HR and CE Department, particularly the Executive Officer of the temple. Apart from that, no other administration / maintenance work can be entrusted to the petitioner / appellant as it is the job of the HR and CE Department. Therefore, to that extent the prayer sought for in the writ petition has been considered and rightly rejected by the learned Judge through the impugned order, we do not find any reasons to interfere with the order passed by the learned Judge.



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7. The writ appeal fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed. Consequently, connected miscellaneous petitions are closed.

(R.S.K.,J.)

(H.C.,J.)

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KST

To

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