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WP No. 32595 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 32595 of 2025

1. Santhoshkumar
Son Of Vaiyiapuri

Petitioner(s)

Vs

1. The Regional Joint Commissioner
Hindu Religious And Charitable
Endowment Department,
Erode- 638 002.

2. The Fit Person
Arulmigu Annamar Periyakandi
Amman Vinayaga Karuppannasamy
Kannimar Temple,
No. 5 Kasapettai A Village,
Avalpoondurai Via, Modakuruchi
Taluk, Erode District,
Having Office, The Office Of
Executive Officer, Arulmigu Aarudhra
Kapaleswarar Temple, Kottai Erode
Town, Erode- 638 001.

Respondent(s)



PRAYER

Call for records relating to the impugned order made in IA No.27/2024 in O. A No. 1/2024 -B1 dated 10.07.2025 on the file of the 1st respondent and to quash the same and consequently direct the 1st respondent to conduct a fresh enquiry by affording an opportunity of fair hearing to the petitioner to put forth his case and pass appropriate orders in accordance with law and on merits expeditiously within a stipulated time frame.

For Petitioner: Mr.R.Prabakar

For Respondent: Mr.N.R.R.Arun Natarajan

Special Government Pleader (HR&CE) for R1

ORDER

This writ petition has been filed challenging the impugned proceedings of the 1st respondent made in IA. No.27/2024 in O. A.No. 1/2024 -B1 dated 10.07.2025 and for a consequential direction to the 1st respondent to conduct a fresh enquiry by affording opportunity to the petitioner and thereafter, pass appropriate orders in accordance with law.

2. Heard Mr.R.Prabakar, the learned counsel for the petitioner and Mr.N.R.R.Arun Natarajan, the learned Special Government Pleader (HR&CE) for the 1st respondent.

3. The case of the petitioner is that the application was filed under Section 64 of the HR&CE Act, 1958 seeking for framing a scheme and appointing a fit person for the administration of Arulmigu Annamar Temple. This application is



pending before the 1st respondent in O.A.No.1 of 2024. The petitioner, after coming to know the same, filed an application along with 13 others to implead themselves as parties. Along with the application, the relevant title documents and revenue records were also filed.

4. The grievance of the petitioner is that the 1st respondent without any application of mind and without considering any of the documents filed by the petitioner and others, passed the impugned order dated 10.07.2025, dismissing the impleading application filed in IA.No.27 of 2024. Aggrieved by the same, the present writ petition has been filed before this Court.

5. In the considered view of this Court, the petitioner and others have raised various grounds along with the documents, and the 1st respondent ought to have given opportunity to the petitioner and others, and passed orders by considering those documents in accordance with law. However, the 1st respondent has straight away dismissed the application on the ground that the order that is going to be passed in the main OA will also be applicable to the petitioner and others. This reasoning on the part of the 1st respondent is unsustainable in law.

6. In view of the above, the impugned proceedings of the 1st respondent made in IA No.27/2024 in O. A.No. 1/2024 -B1 dated 10.07.2025 is hereby set aside. This matter is remanded back to the file of the 1st respondent to deal



with the impleading petition on merits and in accordance with law after affording opportunity to all the parties concerned and pass appropriate orders.

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7. In the result, the writ petition is allowed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

26-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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Endowment Department, Erode, 638
002.

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N.ANAND VENKATESH J.

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