



W.P.No.34394 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.34394 of 2022
and
W.M.P.No.33856 of 2022

1.R.Rajendran
2.R.Rajarajan

... Petitioners

Vs.

1.The Joint Commissioner,
Hindu Religious Charitable & Endowment Department,
Balasunndaram Road,
Coimbatore – 600 018.

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowment Department,
Kovai.

3.The Fit Person,
Arulmigu Angalamman Temple,
Pudhuppai Village,
Dharapuram Taluk,
Office at
The Executive Officer,
Arulmigu Natrayasamy Temple,
Mettuppalayam Village,
Kangayam Taluk,
Tirupur District.

... Respondents



W.P.No.34394 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records pertaining to the proceedings Se.Mu.Na.Ka.No.21/2010/A2 appointing fit person and further taken charge in by the 3rd respondent in the pursuance of the said order dated 25.06.2020 and to quash the same.

For Petitioners : Ms.V.S.Usharani

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorari, to call for the records pertaining to the proceedings Se.Mu.Na.Ka.No.21/2010/A2 appointing fit person and further taken charge in by the 3rd respondent in the pursuance of the said order dated 25.06.2020 and to quash the same.

2. The Arulmigu Angalamman Temple situated in S.F.No.254, Puddhuppai Village, Dharapuram Taluk, Tirupur District and the said temple is founded several decades ago by the petitioner's ancestors, who belong to Kavara Naidu community and Mudaliar Naidu community. They have put up a Thatched roof over the raised platform in the year 1935 and the entire expenses were borne by their community people through their contribution. Initially, the



W.P.No.34394 of 2022

petitioner's ancestors and thereafter, the petitioner and his community people were maintaining proper records for maintaining the temple and the said temple is a community temple and was never under the control of HR & CE Department. While being so, all of a sudden, the 2nd respondent has appointed the 3rd respondent/The Executive Officer, Natrayasamy Temple, Mettuppalayam Village, Kangayam Taluk, Tirupur District, as fit person of the said temple, vide impugned order, dated 25.06.2020, entrusting the fit person with powers to assume charges on his own without giving any consideration to the rights of the petitioner and his community people as the existing trustees of the temple for several years. Aggrieved by the impugned order, the petitioner has filed the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submits that prior to the passing of impugned order, the petitioner and others have filed a petition u/s 64(1) of the HR & CE Act seeking to frame a scheme of administration in O.A.No.32 of 2023 on the file of the 1st respondent. Pending the said petition, the 2nd respondent has passed the impugned order, appointing the 3rd respondent as a fit person, which is wholly unsustainable. When the petitioner's community people are administering the temple for several years, all of a sudden, without providing any opportunity to the petitioner and his community people, the 2nd



W.P.No.34394 of 2022

respondent appointed the 3rd respondent as a fit person, by way of the impugned order, which is a clear violation of principles of natural justice and the same is liable to be interfered with. Accordingly, he prays for allowing this writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that it is brought to the knowledge of the HR & CE Department that several temples were not administered by them and thereby, after conducting enquiry in nearly 179 temples, the 2nd respondent has appointed fit persons in all the 179 temples and the subject temple is one among them. However, he submitted that the appointment of the 3rd respondent as fit person is subject to the result of the OA filed by the petitioner before the 1st respondent. If the petitioner and others succeed in the said petition, the appointment of the 3rd respondent will automatically goes. Hence, without adjudicating the said petition before the 1st respondent, filing the present writ petition challenging the impugned order is wholly unsustainable. Accordingly, he prays for dismissal of this writ petition.

5. Heard both sides and perused the materials available on record.



W.P.No.34394 of 2022

6. Admittedly, the petitioner's family and his community people were administering the subject temple since 1930. It is also not disputed that the subject temple is not administered by the HR & CE Department. It is seen that the HR & CE Department has conducted enquiry and found that in 179 non-listed temples, there is no trustee to administer the temples, thereby, the 2nd respondent has passed the impugned order appointing fit persons in all the 179 temples u/s 49(1) of the HR & CE Act. Out of the 179 temples, the subject temple is one of the temples, in which, the 3rd respondent is appointed as fit person, which cannot be said to be illegal, arbitrary or perverse and the same does not requires any interference. Hence, this Court is not inclined to interfere with the same.

7. However, this Court grants liberty to the petitioner to adjudicate all his grievances before the 1st respondent in the OA filed by him and others. It is made clear that the appointment of the 3rd respondent as fit person of the subject temple is subject to the result of the OA filed by the petitioner and others, on the file of the 1st respondent. Further, the 1st respondent is directed to dispose of the OA filed by the petitioner and others, within a period of three (3) months from the date of receipt of a copy of this order.



WEB COPY



W.P.No.34394 of 2022

M.DHANDAPANI, J.

sp

8. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

10.10.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

To

- 1.The Joint Commissioner,
Hindu Religious Charitable & Endowment Department,
Balasunndaram Road, Coimbatore – 600 018.
- 2.The Assistant Commissioner,
Hindu Religious & Charitable Endowment Department,
Kovai.
- 3.The Fit Person,
Arulmigu Angalamman Temple,
Pudhuppai Village, Dharapuram Taluk,
Office at
The Executive Officer,
Arulmigu Natrayasamy Temple,
Mettupalayam Village, Kangayam Taluk, Tirupur District.

W.P.No.34394 of 2022