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W.P.No.36384 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.36384 of 2025

And

W.M.P.No.40660 of 2025

P.Ekambaram Gurukkal

... Petitioner

Vs.

- 1 THE COMMISSIONER OF TAMIL NADU HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT(HR & CE),
119, UTHAMAR GANDHI ROAD,
NUNGAMBAKKAM,
CHENNAI – 600 034.
- 2 THE JOINT COMMISSIONER
TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT(HR & CE)
DISTRICT COLLECTORATE CAMPUS,
KANCHEEPURAM – 631 501.
- 3 THE ASSISTANT COMMISSIONER,
TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT(HR & CE),
DISTRICT COLLECTORATE CAMPUS,
KANCHEEPURAM – 631 501.
- 4 THE MANAGER (FIT PERSON),
ARULMIGU VAZHAGARUTHISWARAR AND
PARASATHISWARAR THIRUKOVIL,
GANDHI ROAD,
KANCHEEPURAM.
- 5 DHINSHAH

... Respondents



W.P.No.36384 of 2025

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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order of the fourth respondent in Proceedings of ITMS NO – TMOO2711 dated 16.09.2025 petitioner received on 17.09.2025 appointing the fourth respondent as Fit Person seeking possession of the temple in taking over charge as a fit person of Arulmigu Punniyakoteswarar Temple situated at No.46/16 B, North Mada Street, Chinna Kancheepuram, and quash the same as illegal.

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

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records pertaining to the order of the fourth respondent in Proceedings of ITMS NO – TMOO2711 dated 16.09.2025 received by the petitioner on 17.09.2025 appointing the fourth respondent as Fit Person seeking possession of the Temple in taking over charge as a Fit Person of Arulmigu Punniyakoteswarar Temple situated at No.46/16 B, North Mada Street, Chinna Kancheepuram, and quash the same as illegal.



W.P.No.36384 of 2025

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2.The learned counsel appearing for the petitioner submitted

that Arulmigu Punniyakoteswarar Temple situated at No.46/16 B, North Mada Street, Chinna Kancheepuram is a 63(b) Temple under the control of the Hindu Religious and Charitable Endowments Department. The petitioner acted as Hereditary Trustee of the said Temple in terms of the decree in O.A.No.32/59 dated 21.03.1960 on the file of The Deputy Commissioner, HR&CE Admin Department. The petitioner succeeded the estate from his Father who died on 14.12.2024 leaving behind the petitioner's Mother, petitioner and the petitioner's sister. Immediately after the death of the petitioner's Father, the petitioner made application for hereditaryship, however no order was passed.

3.The learned counsel appearing for the petitioner further submitted that the third respondent vide order dated 21.01.2025 appointed the fifth respondent as the Fit Person of the said Temple and challenging the same, the petitioner filed W.P.No.8144 of 2025 and this Court vide order dated 06.03.2025 directed the petitioner to make application under Section 54 of the Act to the second respondent along



W.P.No.36384 of 2025

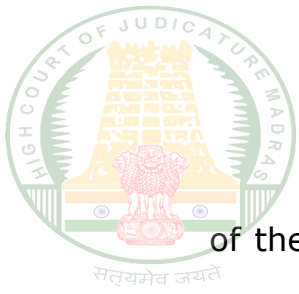
with the consent affidavits of his sister and Mother, however, subsequently, the impugned order was passed directing the petitioner to hand over all the charges to the Fit Person.

4.The learned Special Government Pleader submitted that as against the appointment of Fit Person, no appeal was filed and further submitted that the application of the petitioner for hereditaryship was returned to the petitioner and if the same is represented, the said application would be taken up by the second respondent.

5.At this juncture, the learned counsel appearing for the petitioner submitted that the petitioner represented the application for hereditaryship and hence, this Court may without going into the merits of the case, issue direction to the second respondent to decide the same and to pass appropriate orders.

6.In response, the learned Special Government Pleader submitted that the application of the petitioner for hereditaryship will be taken up by the second respondent and the claim of the petitioner would be decided, within the time frame fixed by this Court.

7.In view of the above, this Court without going into the merits



W.P.No.36384 of 2025

of the case, directs the second respondent to consider the application of the petitioner for hereditaryship, on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed to not to take any coercive step/ action as against the petitioner.

8.The writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

22.09.2025

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Index: Yes/ No

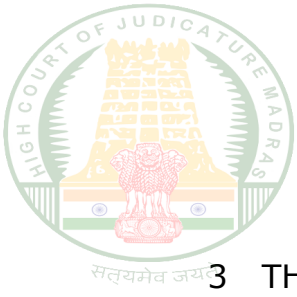
Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 THE COMMISSIONER OF TAMIL NADU HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT(HR & CE),
119, UTHAMAR GANDHI ROAD,
NUNGAMBAKKAM,
CHENNAI – 600 034.
- 2 THE JOINT COMMISSIONER
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5/6



W.P.No.36384 of 2025

WEB COPY

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TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT(HR & CE),
DISTRICT COLLECTORATE CAMPUS,
KANCHEEPURAM – 631 501.

M.DHANDAPANI,J.
pri

4 THE MANAGER (FIT PERSON),
ARULMIGU VAZHAGARUTHISWARAR AND
PARASATHISWARAR THIRUKOVIL,
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WEB COPY



W.P.No.36384 of 2025

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