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W.P.Nos.36859 and 36869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.36859 and 36869 of 2025

And

W.M.P.No.41232 of 2025

1.Nallappa Narayanan
2.N.Ramanujam
3.N.Krishnaswamy ... Petitioners in both the W.Ps.

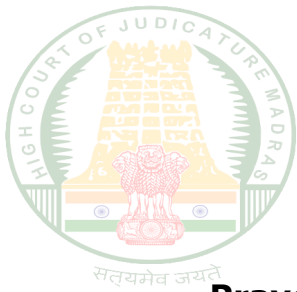
Vs.

1.The Joint Commissioner
H.R & C.E (Admn.) Department,
Kancheepuram.

2.The Assistant Commissioner,
H.R & C.E (Admn.) Department,
Kancheepuram. ... Respondents in both the W.Ps.

3.The Executive Officer,
Arulmighu Subramania Swamy Temple
Kumarakottam, Kancheepuram
and Fit Person of Arulmighu Komalavalli Sametha Sri
Yadhokthakari Emperumal Thirukkoil
(Thiruvekka Sohnavan Seitha Perumal)
Situated at Vishnu Kancheepuram – 631 503.
... Respondents in W.P.36859/2025

3.D.Madhava Ramanuja Dasar
4.Thiruvenkata Ramanuja Desiga Dasar
5.K.N.Krishnan ... Respondents in W.P.36869/2025



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Prayer in W.P.No.36859 of 2025:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned Letter of the third respondent dated 11.09.2025 and quash the same as illegal, ultravires, without jurisdiction and against principles of natural justice.

Prayer in W.P.No.36869 of 2025:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent pertaining to the order dated 29.07.2025, obtained by the petitioners on 17.09.2025, made in O.A.No.13 of 2021 (O.A.No.11 of 2007 transposed from the Joint Commissioner, H.R. and C.E. Department, Vellore) and quash the same and consequently direct the first respondent to re-hear O.A.No.13 of 2021 on merits after affording opportunity to the petitioners herein.

For Petitioners : Mr.D.Rajagopal

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader
for R1 to R3 in W.P.36859 of 2025
for R1 and R2 in W.P.36869 of 2025

COMMON ORDER

W.P.No.36859 of 2025 has been filed seeking issuance of Writ of Certiorari calling for the records pertaining to the Letter of the third



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respondent dated 11.09.2025 and quash the same as illegal, ultravires, without jurisdiction and against principles of natural justice.

2.W.P.No.36869 of 2025 has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent pertaining to the order dated 29.07.2025, obtained by the petitioners on 17.09.2025, made in O.A.No.13 of 2021 (O.A.No.11 of 2007 transposed from the Joint Commissioner, H.R. and C.E. Department, Vellore) and quash the same and consequently direct the first respondent to re-hear O.A.No.13 of 2021 on merits after affording opportunity to the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are the Hereditary Trustees of Arulmighu Komalavalli Sametha Sri Yadhokthakari Emperumal Thirukkoil. The petitioners filed petition under Section 63(b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 before the Joint Commissioner, H.R & C.E Department, Vellore in O.A.No.11 of 2007 and the same was thereafter transferred to the file of the first respondent and re-numbered as O.A.No.13 of 2021. The learned counsel further submitted that till 2025, no notice was issued and all of



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a sudden, O.A.No.13 of 2021 was dismissed for default on 29.07.2025 and immediately thereafter, the respondents vide letter dated 11.09.2025 appointed Fit Person for the said Temple, which is gross violation of principles of natural justice.

4.The learned Special Government Pleader submitted that though notice was issued to the petitioners, the petitioners did not cooperate for disposal of the petition under Section 63(b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, hence, the impugned orders were passed.

5.Admittedly, the petitioners filed petition under Section 63(b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 before the Joint Commissioner, H.R & C.E Department, Vellore in O.A.No.11 of 2007 and the same was thereafter transferred to the file of the first respondent and re-numbered as O.A.No.13 of 2021 and subsequently, it was dismissed for default on 29.07.2025. The above dismissal is not on merits, it is only for non appearance of the petitioners. Such order cannot be allowed to continue. Further, the petitioner has filed these writ petitions immediately. Hence, this Court



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is inclined to set aside the orders impugned in these writ petitions and remand the matter back to the first respondent.

6.In view of the above, the Letter of the third respondent dated 11.09.2025 and the order of the first respondent dated 29.07.2025, made in O.A.No.13 of 2021 are set aside and the matter is remanded back to the first respondent to consider O.A.No.13 of 2021 afresh. The first respondent is directed to hear the petitioner and decide O.A.No.13 of 2021 on merits and in accordance with law and pass appropriate orders within a period of three months from the date of receipt of a copy of this order. The first respondent shall fix the first date of hearing on 14.10.2025. The petitioners are directed to cooperate with the first respondent for disposal of O.A.No.13 of 2021.

7.The writ petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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M.DHANDAPANI,J.
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To

- 1.The Joint Commissioner
H.R & C.E (Admn.) Department,
Kancheepuram.
- 2.The Assistant Commissioner,
H.R & C.E (Admn.) Department,
Kancheepuram.
- 3.The Executive Officer,
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