IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.38773 of 2025
and
W.M.P. Nos.43386 and 43387 of 2025

Vijay Chandrasekarn Udayar ... Petitioner

vs.

The Commissioner
Hindu Religious Charitable Trust,
Udhamar Gandhi Road,
Chennai-600 034. … Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the records in respect of the respondent Order No. br.K.e.f.vz;.74600-69-2021H/3 10.11.2021, and quash the same.

For petitioner : Mr.S. Ravichandran

For respondent : Mr.N.R.R. Arun Natarajan
Spl.Govt. Pleader

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ORDER

Mr.N.R.R. Arun Natarajan, learned Special Government Pleader (HR & CE), takes notice for the respondent. By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. The writ petition has been filed challenging the order of the respondent dated 10.11.2021 and for quashment of the same.

3.It is the case of the petitioner that Arulmigu Draupathi Amman Temple, Nachiyar Kovil, Kumbakonam Taluk, Tanjore District was constructed by his forefathers and regular poojas have been conducted by him as a Trustee. It is stated that the said temple is a private temple. While so, the respondent passed the order dated 10.11.2021, which is impugned herein stating that the said temple has been taken over by the HR & CE Department. It is the grievance of the petitioner that the said impugned order dated 10.11.2021 passed by the respondent was served on the petitioner only on 08.09.2025. Aggrieved by the said order dated 10.11.2021, this writ petition has been filed.

4. Learned counsel for the petitioner submitted that the said temple was constructed by the petitioner's forefathers, before 100 years and the same has been maintained and managed by the petitioner's family members. He further contended that acquisition of the temple management by the respondent is

arbitrary. He also submitted that the impugned order, though dated 10.11.2021, was communicated to the petitioner only recently, i.e., in the month of September 2025. In view of the above, the order passed by the respondent dated 10.11.2021 is liable to be quashed and prayed for allowing of this writ petition.

5. Learned Special Government Pleader appearing for the respondent (HR & CE Department) submitted that the aforesaid temple is a public temple and, therefore, the said Temple falls within the purview of the Hindu Religious and Charitable Endowments Department. He further submitted that the petitioner may be permitted to work out his remedy by filing an application under Section 64B of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, before the authority concerned i.e., Joint Commissioner. In the light of the above submissions, he prayed for issuance of appropriate directions.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court granting liberty to the petitioner to file an appropriate application under Section 64B of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, before the Joint Commissioner(HR & CE), seeking recognition of the petitioner as Trustee of the aforesaid temple. If such an application is filed, the authority

concerned shall consider the same and pass appropriate orders on merits and in accordance with law. It is made clear that this Court has not expressed any opinion on the merits of the matter.

7. In view of the above, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

15.10.2025

Index:Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To
The Commissioner
Hindu Religious Charitable Trust,
Udhamar Gandhi Road,
Chennai-600 034.

M. DHANDAPANI, J.

vsi2

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