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W.P.No.42518 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.42518 of 2025

S.R.Ramesh

.... Petitioner

VS

1. The State of Tamil Nadu
Rep by its Additional Secretary,
Tourism, Culture and Religious Endowments Department,
Secretariat, Fort.St.George,
Chennai-600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments Department,
Uthamar Gandhi Salai, Nungambakkam,
Chennai-600 034.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
No.11/20, A.K.Thangavelar Street,
Kancheepuram-631 501.
4. The Assistant Commissioner/Executive Trustee,
Sri Devarajaswamy Temple,
Kancheepuram-631 501.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the second respondent to take action against the 4th respondent within a time frame as may be fixed



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by this Court based on the representations of the petitioner dated 03.10.2025 and 07.10.2025 and consequently suspend the 4th respondent as Executive Trustee of Sri Devarajaswamy Temple, Kancheepuram forthwith.

For Petitioner : Mr.Abhinav Parthasarathy

For Respondents : Mr.N.R.R.Arun Natarajan
Spl.G.P
For R.1 to R.3
Mr.R.Bharanidharan
For R.4

ORDER

The petitioner seeks issuance of writ of mandamus to direct the second respondent to take action against the 4th respondent, who, according to the writ petitioner, has manhandled him and the petitioner has also lodged the complaint before the police authorities.

2. Insofar as the representations given to the second respondent, the petitioner, invoking Section 45(4) of Hindu Religious and Charitable Endowments Act, 1959, seeks action to be taken against the fourth respondent.



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3. Learned counsel for the respondents would however state that in Kancheepuram District, it is a common issue that has been brought up repeatedly by either of the sects viz., “Vadakalai” and “Thenkalai” and the Executive Officers are not allowed to function and perform their duties. He would also state that since a police complaint has already been lodged by the petitioner and the matter is with the police authorities, there is no necessity to additionally mulct the Commissioner to conduct enquiry and dispose of the representations of the petitioner.

4. In terms of Section 45(4) of Hindu Religious and Charitable Endowments Act, 1959, the Commissioner, if he has reason to believe that there is merit in the complaint, he is entitled to take action against the Executive Officer. Rightly or wrongly, there are representations given by the petitioner complaining about the Executive Officer's functioning in and around the temple premises. Therefore, I do not see how the second respondent cannot dispose of the above said representations on merits and in accordance with law as even under the Act, he is empowered to take action against the fourth respondent, subject to a case being made out.



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5. Considering the fact that two representations have been given to the second respondent on 03.10.2025 and 07.10.2025, the second respondent shall conduct due enquiry and after giving opportunity to the petitioner, shall pass final orders on the representations on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order in terms of holding of enquiry Rules.

6. Learned Special Government Pleader points out that the petitioner is causing disturbance to the day-to-day functioning of the temple.

7. Till the enquiry is concluded, the petitioner shall not interfere with the functioning of the Executive Officer. It is open to the petitioner and the fourth respondent to produce all the relevant material documents in support of their contentions.



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costs.

8. With the above direction, the writ petition is disposed of. No

06.11.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
sr
To

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P.B.BALAJI, J.

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