



W.P.No.4589/ of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR. JUSTICE **P.B.BALAJI**

W.P.No.45897 of 2025

and

W.M.P.Nos.51175 & 51176 of 2025

P.Sekar @ Pachaimuthu

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road, Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Erode.

4.Arumugam



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5.R.Rathinam

6.P.Ponnappan

7.Raja @ Chinna Mallan

8.N.Perumal

9.Duraisamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the order of transfer passed by the first respondent in MP. No.8/2025 dated 24.07.2025 and quash the same and consequently direct the first respondent to transfer the above OA No.19/2011 again to the second respondent from third respondent.

For Petitioner : Mr.K.Thiruvengadam

For R1 to R3 : Mr.S.Ravichandran

Additional Government Pleader

ORDER

This Writ Petition has been filed to call for the records in connection with the order of transfer passed by the first respondent in MP. No.8/2025 dated 24.07.2025 and



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quash the same and consequently direct the first respondent to transfer the above OA

WE 19/2011 No.19/2011 again to the second respondent from third respondent.

2. Heard Mr.K.Thiruvengadam, learned counsel for the petitioner and Mr.S.Ravinchandran learned Additional Government Pleader for the respondents 1 to 3.

3. The petitioner, who claimed to be an ex-trustee of the Arulmigu Bhadrakali Amman Temple in Mecheri, Salem District, has come forward with this writ petition, challenging the order of transfer in MP No.8/2025 on the file of the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai.

4. The grievance of the petitioner is that without any valid reasons, the Commissioner has transferred the matter from the file of the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Salem to the file of the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Erode. Even



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according to the petitioner, the petitioner is only an Ex-trustee of the temple and is not holding any office. However, it is case of the writ petitioner that he has given a petition for appointing himself as Trustee and he is aggrieved by the order of transfer behind his back.

5. Mr.S.Ravichandran, learned Additional Government Pleader for the respondents 1 to 3, on instructions, submits that the petitioner is not connected to OA No.19/2011 and the present Trustees have no objection for transfer and in fact it is only at their request, the transfer has been made. He would further state that subsequent to transfer, the enquiry is also being proceeded with and therefore at this juncture, if the order of transfer is set aside it will to lead to unnecessary waste of time as well. Therefore, he prayed for dismissal of the writ petition.

6. I have carefully considered the submissions advanced by the learned counsel on either side.



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7. Admittedly, the petitioner is not the present Trustee. The present Trustees have moved the Commissioner, Hindu Religious and Charitable Endowments Department, in MP No. 8/2025. According to the learned Additional Government Pleader, the present Trustees have alone moved the Commissioner in MP No.8/2025. However, the learned counsel for the petitioner states that the said petition is not by the present Trustee and he has no right to manage the temple.

8. Be that as it may, the instructions that has been circulated to the learned Additional Government Pleader clearly states that the present Trustees have sought for transfer as Scheme Trustees and only at their instance, considering that the proceedings were pending for a long time before the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Salem, in order to have an expeditious disposal, they moved the Commissioner seeking transfer of proceedings to the Joint Commissioner, Erode. It is seen that the petitioner claims to be Ex-Trustee and he seeks



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to be appointed as one of the Trustees to the temple. Admittedly, the temple is governed

by a scheme and therefore, it would be subject to the scheme that the petitioner's entitlement to be a Trustee can be decided. Be that as it may, the present Scheme Trustees have moved the Commissioner seeking transfer and the same has been entertained. Though the order does not specifically set out any reasons, it appears that the transfer has been made at the request of the present Scheme Trustees who are the private respondents in the present writ petition, on the ground that the Joint Commissioner has been proceeding in a predicated manner and hence they have sought for transfer. The Commissioner, exercising powers conferred on him under Section 22 of the Hindu Religious and Charitable Endowments Department Act, has transferred the proceedings, considering the interests of the private respondents in this writ petition.

9. I do not see how the petitioner can be aggrieved by such an order when admittedly the petitioner is not a party in OA No.19/2011. However, considering the fact that the petitioner's application to be appointed as Trustee is pending, the Joint



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Commissioner, Hindu Religious and Charitable Endowments Department, Erode, who is

presently enquiring OA No.19/2011 shall also hear, the application of the writ petitioner

for being appointed as one of the Trustees and shall also dispose the same on merits and

in accordance with law. The learned Additional Government Pleader states that the next

hearing is stated to be held on 04.12.2025. The petitioner shall be permitted to

participate in the enquiry proceedings and the application to be appointed as one of the

Trustee shall also be considered after hearing the objections of the private respondents.

10. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

01.12.2025

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

mtl

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Issue Order Copy on 04.12.2025

To

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Nungambakkam High Road, Chennai – 600 034.

2.The Joint Commissioner,
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Salem.

3.The Joint Commissioner,
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P.B.BALAJI, J.

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