



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 49318 of 2025
and
W.M.P.No.55092 of 2025**

Thirmanmalai Tirumal Tirupathi
Paribalana Trust,
Represented by its Managing Trustees,
Mr.Varadharajan,
S/o. Tirupathi, Merkathiyankottai,
Chimanapur Post, Tirupathur Taluk,
Tirupathur District.

Petitioner

Vs

1. The Commissioner,
HR and CE Department, Chennai.
- 2.The Joint Commissioner
HR and CE Department, Vellore.
- 3.The Executive Engineer,
Sri Panchamuga Anjenayar Swami
Thirukoil, Perambattu Village,
Thirupattur Taluk, Thirupathur District.
- 4.The Superintendent of Police,
Thirupattur, Thirupathur District.
- 5.The Inspector Of Police
Thirupattur Taluk Police Station,
Thirupathur District.
- 6.V.Palani
- 7.S.Murugan



8.C.Dhandapan

9.R.Kathiravan

10.D.Elumalai

11.B.Rajamani

12.K.Annamalai

13.R.Elumalai

14.S.Madhu

15.V.Ravi

16.Shankaran

Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the respondents 1 to 3 authorities to ensure the celebration of Sri Anuman Jayanthi Festival at Arulmigu Chennakesawar Perumal Samy, Govindaraja Perumal Samy, Vinayagar Samy, Panchamuga Anjaneya Temple and Maniiundramalai, Perenpat village, Tirupathur Taluk and District schedule to be held on 19.12.2025 by the petitioner's trust in accordance with clause 5 of scheme formulated by order dated 08.11.2012 in O.A.No.10/2012 on the file of second respondent by considering the representation of the petitioner dated 04.12.2025.

For Petitioner: Mr.R.Rajarajan

For R1 to R3: Mr.K.Karthikeyan
Government Advocate (HR & CE)

ORDER

The prayer in the writ petition is to direct the respondents authorities to ensure the celebration of Sri Anuman Jayanthi Festival at Arulmigu



Chennakesawar Perumal Samy, Govindaraja Perumal Samy, Vinayagar Samy, Panchamuga Anjaneya Temple and Maniundramalai, Perenpat Village, Tirupathur Taluk and District schedule to be held on 19.12.2025 by the petitioner's trust in accordance with Clause 5 of the scheme formulated by order dated 11.11.2012 in O.A.No.10 of 2012 by considering the representation of the petitioner dated 04.12.2025.

2. Upon hearing the learned counsel appearing for the petitioner and perusing the affidavit filed in support of the writ petition and the material records of the case, the case of the petitioner trust is that originally the petitioner trust was managing all these temples and religious institutions. Ultimately, a scheme came to be framed in O.A. No.10 of 2012. As per the said scheme, these temples are to be administered by the appointment of non-hereditary trustees as per the provisions of the Tamil Nadu HR & CE Act, 1959 and the Rules framed thereunder and the said non-hereditary trustees should be from among the panel of persons who are eligible. The petitioner trust is given a right to recommend five qualified members to be included in the panel. The said panel is to be constituted by taking into account the persons recommended by the petitioner trust also, if they apply for the same.



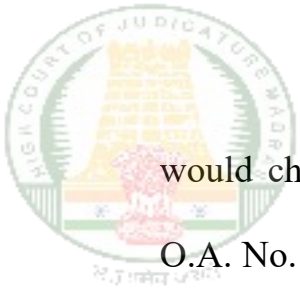
3. Thereafter, the scheme provides that once the trustees are appointed, the rights of the petitioner trust shall end and the petitioner trust shall not interfere in the functioning of the non-hereditary trustees in the matter of administration of the temple. Clause 5 of the scheme also contemplates that the members of the trust shall have liberty, as usual, in respect of offering their efforts and support for the proper performance of various rituals and religious activities of the temples wherever needed, subject to the approval and sanction of the Department, which shall be obtained through the trustees of the temple. As per Clause 7 of the scheme, the competent authority has the power to appoint an Executive Officer under Section 45(1), including the power to appoint a fit person.

4. In this matter, there were also the following earlier litigations. The petitioner trust had earlier approached this Court by way of W.P. No.16487 of 2022 with a prayer to appoint particular persons as non-hereditary trustees and by a judgment dated 07.07.2022, the respondent authorities were directed to complete the process of appointment of trustees within a period of twelve weeks from the date of the order. It is stated that pursuant to the said order, the trustees were appointed and their two year tenure has also come to an end and, as on date, the position of trustees is vacant.



5. The petitioner trust again filed W.P. No.32376 of 2025 and by an order dated 28.08.2025, this Court recorded the submissions of the respondents that they are in the process of appointing trustees again and that a total of eight applications were received and a decision would be taken within a period of three weeks from the date of receipt of a copy of the order and disposed of the writ petition. It is stated that final orders have not yet been passed and the respondent authorities are still in the process of passing orders. It is seen that the three week period granted by this Court has expired and the respondent authorities shall do well to process and finalise the same and pass final orders as expeditiously as possible.

6. There is also a third litigation in respect of the very same temples, whereby one *V.Palani* and 9 others had filed W.P. No.36265 of 2025, aggrieved by the fact that trustees were appointed only on the recommendation of the petitioner trust. After hearing the parties, a judgment was passed in the said writ petition on 23.09.2025, wherein it was held that the petitioners therein were also in arrears of rent and directions were issued to pay the arrears of rent. It was further directed that, upon payment of arrears, the appropriate authority could take up the application for modification of the scheme and pass orders thereon in accordance with law. Only if the arrears are paid and the modification application is taken up and any modification of the scheme is made, the scheme



would change. As on date, it is clear that the scheme framed by the order in O.A. No.10 of 2012 dated 11.11.2012 is in force. Therefore, it is made clear that this Court is not considering any of the rights of the said *V. Palani* and others, or for that matter, any other customary right of the petitioner trust or third parties or other devotees, which can be decided only by the authorities in the proceedings in O.A. No.10 of 2012 and the same is not pronounced upon in any manner whatsoever.

7. In view thereof, this writ petition is disposed of on the following terms:-

(i) As directed by the earlier order in W.P.No.32376 of 2025, the respondents shall appoint non-hereditary trustees as expeditiously as possible.

(ii) In the meanwhile, since Sri Hanuman Jayanti Festival for this year falls on 19.12.2025 and for that matter in respect of any ritual or any other festival of the temple, the right has been given to the petitioner to offer their efforts and support for the proper performance of various rituals and religious activities. Therefore, the Executive Officer who is presently administering these institutions shall ensure that Hanuman Jayanti is celebrated as per the traditions of the temple and whatever effort or support is offered by the petitioner trust may be taken to the extent necessary by the



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Executive Officer.

(iii) It is made clear that the festival or ritual shall be performed in the name of the temple and the petitioner trust shall be free to offer support in any manner, including physical support by its members by way of *Shramdaan*, monetary support by donation or by way of commodities, including the conduct of any *Annadhanam* whatsoever, which the Executive Authority may decide as per the usual practices of the temple, depending upon the nature of the ritual performed.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

17-12-2025

Neutral Citation: Yes/No

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To

1. The Commissioner,
HR and CE Department, Chennai.

2. The Joint Commissioner
HR and CE Department, Vellore.

3. The Superintendent of Police,
Thirupattur, Thirupathur District.

4. The Inspector Of Police
Thirupattur Taluk Police Station,
Thirupathur District.



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D.BHARATHA CHAKRAVARTHY J.

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