



W.A(MD)No.2346 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.A(MD)No.2346 of 2025
and
C.M.P(MD)No.13247 of 2025**

Arulmigu Vennimadhanthaiyan Sastha Kovil,
Represented by its Trustee S.Azhaguvel,
S/o.Sellathurai Nadar,
Chettiyapathu, Thiruchendur Taluk,
Thoothukudi District.

... Appellant

VS.

- 1.The Commissioner/Principal Secretary,
Hindu Religious and Charitable Endowments Department,
Chennai - 600 034.
- 2.The Joint Commissioner (Head Quarters),
Office of the Commissioner/Principal Secretary,
Hindu Religious and Charitable Endowments Department,
Chennai - 600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tirunelveli.



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4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Thoothukudi.

5.Ramar

6.S.Ganesan

7.The Fit Person,
Arulmigu Vennimadanthaiyan Sastha Kovil,
Chettiyapathu, Thiruchendur Taluk,
Thoothukudi District.
Working as Executive Officer of
Arulmigu Karukkuvel Ayyanar Thirukkivil,
Therikudiyiruppu,
Thiruchendur,
Thoothukudi District.

... Respondents

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 02.09.2024 made in W.P(MD)No.7886 of 2020 on the file of this Court.

For Appellant : Mr.M.Saravanan

For RR 1 to 4 : Mr.P.Subbaraj
Special Government Pleader



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JUDGMENT

(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

The Writ Appeal has been instituted challenging the order dated 02.09.2024 passed in W.P(MD)No.7886 of 2020.

2.The learned counsel appearing for the appellant, in all fairness, submitted that the appellant has no serious objection against the dictum of the writ Court. However in para 25, the Writ Court has stated that “in case, a decision is taken thereafter to take over the temple, the impugned order dated 02.07.2020 passed by the fourth respondent appointing a fit person shall be acted upon”. Relying on the said line, the learned counsel appearing for the appellant submitted that the said impugned order has already been quashed by the Writ Court. In such circumstances, the observation will provide scope for the respondents to interpret the order in a different manner.



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3.This Court is of the considered view that there is no ambiguity in respect of the order passed by the Writ Court. The Writ Court has remanded the matter back by quashing the impugned order. Therefore, the appellant has to submit an explanation to the show-cause notice dated 08.06.2020 within a period of 30 days from the date of receipt of a copy of the writ Court's order. Thereafter, the first respondent shall consider the issues and pass appropriate orders by considering the explanation given by the appellant, on merits and in accordance with law, within a period of three months.

4.The first respondent in the event of taking a decision to appoint a fit person, then any further action is to be done with reference to the order to be passed by the first respondent, on merits and in accordance with law. Since the Writ Court has quashed the impugned order, the same need not be acted upon, after passing of the order by the first respondent on merits and in accordance with law.



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5. With the above directions, this Writ Appeal is disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [G.A.M.,J.]
13.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

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and
G.ARUL MURUGAN, J.

ps

ORDER MADE IN
W.A(MD)No.2346 of 2025

DATED : 13.08.2025

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