



W.P.(MD)No.5237 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5237 of 2025

and

WMP (MD) No.3823 of 2025

Rengarasam Poosari

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.

2. The Deputy Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tiruchirappalli District.

3. The Inspector,
Hindu Religious and Charitable
Endowments Department,
Anthanallur
Tiruchirappalli District.

4. The Executive Officer,
Arulmigu Pidari Vanthaye Amman Temple,
Thiruvarangampatti,



W.P.(MD)No.5237 of 2025

Manachanallur (T.K),
Tiruchirappalli District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the Impugned Order passed by the 3rd respondents dated 07.01.2025 and quash the same as illegal and consequently direct the respondents to allow the petitioner to discharge the functions of the hereditary trustee and Poosari within a time frame that may by stipulated this Hon'ble Court.

For Petitioners : Mr.A.Azhageson

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader

for R1 to R3

Mr.V.Chandrasekar for R4

ORDER

Challenging the impugned proceedings dated 07.01.2025 issued by the third respondent, directing the petitioner to file an application under Section 54(1) of the Hindu Religious and Charitable Endowments Act, for obtaining succession right/poosariship, this writ petition has been filed by the petitioner.



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2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims that their forefather had approached the HR & CE Department by filing O.A. No. 34 of 1974. By virtue of the judgment in the said application, the first respondent, by an order dated 06.04.1976, recognized the rights of the petitioner's forefather as a hereditary trustee for managing the affairs of Arulmigu Pidari Vanthaye Amman Temple. Subsequently, the petitioner's grandfather was confirmed as trustee by the second respondent, and after his demise, the legal heirs were recognized as hereditary trustees. Thereafter, the first respondent framed a Scheme for the administration of the Temple in terms of Section 45 of the HR & CE Act, through an order dated 15.11.2024. Based on the said Scheme, the third respondent issued proceedings on 07.01.2025, directing the petitioner to file an application under Section 54(1) of the HR & CE Act, without considering the judgment in O.A. No. 34 of 1974. Aggrieved by this, the petitioner has filed the present writ petition.



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4. The learned Additional Government Pleader, appearing on behalf of the respondents 1 to 3, submitted that the impugned order was issued to the petitioner solely to recognize his hereditary trusteeship by verifying the necessary documents. If the petitioner appears before the second respondent with all the relevant documents pertaining to his claim, the same will be considered and appropriate orders will be passed within a period of one month.

5. In view of the above submission made, the petitioner is hereby directed to appear before the second respondent, i.e., the Deputy Commissioner, Hindu Religious and Charitable Endowments Department, Tiruchirappalli District, along with all the relevant documents and supporting materials to substantiate his claim for hereditary trusteeship, within one week from the date of receipt of a copy of this order. Upon appearance, the second respondent shall carefully examine the documents, consider the petitioner's submission and pass appropriate orders on its own merits and in accordance with law, within one month thereafter.



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6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.02.2025

Index : Yes / No

Internet : Yes / No

PKN

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VIVEK KUMAR SINGH, J.

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