



**W.P.(MD)Nos.10653 of 2020, 5346 of 2021,
11675 of 2022 & 11328 of 2024**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

**W.P.(MD)Nos.10653 of 2020, 5346 of 2021,
11675 of 2022 & 11328 of 2024**

and

All connected Miscellaneous Petitions

W.P.(MD)No.10653 of 2020:

Rathinasamy

: Petitioner

Vs.

1.The Principal Secretary / Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.

2.The District Collector,
Tenkasi District,
Tenkasi.

3.The Superintendent of Police,
Tenkasi District, Tenkasi.



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4.The Joint Commissioner,

Hindu Religious and Charitable Endowment Department,
Tirunelveli,
Tirunelveli District.

5.The Assistant Commissioner,

Hindu Religious and Charitable Endowment Department,
Tenkasi District,
Tenkasi.

6.The Inspector,

Hindu Religious and Charitable Endowment Department,
Subramaniasamy Kovil Temple,
Puliyangudi,
Kadayanallur Taluk,
Tenkasi District.

7.The Tahsildar,

Kadayanallur Taluk,
Kadayanallur,
Tenkasi District.

8.The Revenue Divisional Officer,

Tenkasi,
Tenkasi District.



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9.The Sub Inspector of Police,
Sambavarvadakarai Police Station,
Tenkasi District.

10.The President,
Arulmigu Kulasekara Amman Kovil,
Komarathar Trust (UAKAKK),
Oormelalagiyan,
Kadayanallur Taluk,
Tenkasi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1, 4 and 5 to take control and management of 800 years old Pandiya dynasty temple by name Kulasekara Amman Kovil, situated at Oormelalagiyan Village, Kadayanallur Taluk, Tenkasi District on the basis of representation dated 29.05.2020.

For Petitioner : Mr.T.Indrachithu

For Respondents 1,2,4 to 8 : Mr.P.Thilak Kumar

Government Pleader

For Respondents 3 & 9 : Mr.P.Kottaisamy

Government Advocate [Crl. Side]

For Respondent No.10 : Mr.M.S.Suresh Kumar



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W.P.(MD)No.5346 of 2021:

G.Rathinasamy

: Petitioner

Vs.

- 1.The Principal Secretary / Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.
- 2.The District Collector,
Tenkasi District,
Tenkasi.
- 3.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 4.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli,
Tirunelveli District.
- 5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tenkasi District,
Tenkasi.



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6.The Inspector,

Hindu Religious and Charitable Endowment Department,
Subramaniasamy Kovil Temple,
Puliyangudi, Kadayanallur Taluk,
Tenkasi District.

7.The Revenue Divisional Officer,

Tenkasi,
Tenkasi District.

8.The Tahsildar,

Kadayanallur Taluk,
Kadayanallur,
Tenkasi District.

9.The Sub Inspector of Police,

Sambavarvadakarai Police Station,
Tenkasi District.

10.The President,

Arulmigu Kulasekara Amman Kovil,
Komarathar Trust (UAKAKK),
Oormelalagiyam,
Kadayanallur Taluk,
Tenkasi District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 2 to 9 to direct the 10th respondent to permit the petitioner and other village peoples to offer their prayer in Arulmigu Kulasekaraamman Thirukovil in Survey No.138/4 at Oormelalagiyan Village, Kadayanallur Taluk, Tenkasi District as per the existing customs and usage from the time immemorial by considering the petitioner's representation dated 18.02.2020 within the period stipulated as prescribed by this Court.

For Petitioner : Mr.T.Indrachithu
For Respondents 1,2,4 to 8 : Mr.P.Thilak Kumar
Government Pleader
For Respondents 3 & 9 : Mr.P.Kottaisamy
Government Advocate [Crl. Side]
For Respondent No.10 : Mr.M.S.Suresh Kumar

W.P.(MD)No.11675 of 2022:

Urmelalagiyan Arulmigu Kulasekara Amman
Thirukkivil Komaratharkal Trust (UAKAKK),
Through its Managing Trustee,
S.Muthusamy,
S/o.Subbiah



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Having Office at D.No.3-77-3,
Ponvilazh Veedhi, Oormelalagiyan,
Tenkasi District – 627 811.

: Petitioner

Vs.

1.The Additional Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 34.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tenkasi District,
Tenkasi.

3.The Inspector,
Hindu Religious and Charitable Endowment Department,
Subramaniasamy Kovil Temple,
Puliyangudi,
Kadayanallur Taluk,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records of the impugned order dated 02.05.2022 in நி.மு.எண்.12784 / 2022 / இ2



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on the file of the first respondent and quash the same as illegal,
arbitrary, without jurisdiction.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents : Mr.P.Thilak Kumar

Government Pleader

W.P.(MD)No.11328 of 2024:

1.S.Sachithanantham (President)

2.S.Kulasekaran (President) : Petitioners

Vs.

1.The Principal Secretary,

Hindu Religious and Charitable Endowment Department,

Nungambakkam,

Chennai – 34.

2.The Assistant Commissioner,

Hindu Religious and Charitable Endowment Department,

Tenkasi District,

3.The Executive Officer,

Arulmigu Mupudathi Amman Thirukovil,

Kadayanallur,

Tenkasi District.



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4.The Inspector HR & CE,
Puliyangudi,
Tenkasi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice order dated 13.05.2024 on the file of the third respondent and quash the same as illegal and consequently for a direction, directing the second respondent to stay all the proceedings regarding the temple till the disposal of the O.A.No.9 of 2024 or the disposal of W.P.(MD)No. 11675 of 2022.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel for Ms.Indhira
For Respondents : Mr.P.Thilak Kumar
Government Pleader



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COMMON ORDER

[Order of the Court was made by M.S.RAMESH, J.]

In all these Writ Petitions, the grievances of the writ petitioners is with regard to the appointment of a Fit Person by the Hindu Religious and Charitable Endowments Department.

2.It is brought to the notice of this Court that as against such appointment, a revision has been preferred under Section 113-A of “the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959” [hereinafter “the Act”], before the first respondent / Principal Secretary and the same is pending. When revision has been preferred, it would not be appropriate for this Court to adjudicate the issue in hand. Nevertheless, if the revisional authorities are directed to dispose of the revision within a stipulated time, the ends of justice could be secured.

3.Accordingly, there shall be a direction to the first respondent / Principal Secretary, HR & CE Department, to dispose of the revision dated 21.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due



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opportunity to all the interested parties, within a period of six [6] months from the date of receipt of a copy of this order.

4.With the above direction, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[M.S.R.,J.] & [A.D.M.C.,J.]
24.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To

1.The Principal Secretary / Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.

2.The Additional Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 34.

3.The District Collector,
Tenkasi District,
Tenkasi.

4.The Superintendent of Police,
Tenkasi District,
Tenkasi.

5.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli,
Tirunelveli District.

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tenkasi District, Tenkasi.



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7.The Inspector,

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Subramaniasamy Kovil Temple,
Puliyangudi,
Kadayanallur Taluk,
Tenkasi District.

8.The Tahsildar,

Kadayanallur Taluk,
Kadayanallur,
Tenkasi District.

9.The Revenue Divisional Officer,

Tenkasi,
Tenkasi District.

10.The Sub Inspector of Police,

Sambavarvadakarai Police Station,
Tenkasi District.

11.The Executive Officer,

Arulmigu Mupudathi Amman Thirukovil,
Kadayanallur,
Tenkasi District.



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

COMMON ORDER MADE IN
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24.01.2025