



W.P.(MD)No.11719 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

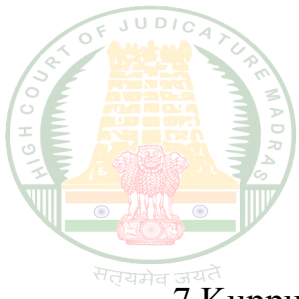
W.P.(MD)No.11719 of 2025

K.Sundaram Poosari

... Petitioner

-VS-

- 1.The Commissioner,
O/o. Commissioner of HR and CE,
Hindu Religious and Charitable Endowment Department,
Chennai - 34.
- 2.The Join Commissioner,
O/o Joint Commissioner, HR and CE Department,
Madurai -1.
- 3.Assistant Commissioner,
O/o. Assistant Commissioner,
HR and CE Department, Madurai -1.
- 4.Executive Officer / Thakkar,
A/m. Throupathai Amman Temple,
Office at A/m.Jenagai Mariamman Temple,
Sholavandhan,
Madurai District.
- 5.Jawaharlal
- 6.Thirupathi



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7.Kuppusamy

8.Arjunan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents forbearing the Hereditary Trustees namely, the respondents 5 to 8 herein from making any arrangements for the temple festival of A/m.Throupathai Amman Temple, situated in Sholavandhan scheduled to be held from 28.04.2025 to 09.05.2025 and conduct the temple festival by the fourth respondent herself in the light of her report submitted before the second respondent as stated in the reply to the petitioner dated 16.04.2025.

For Petitioner	:	Mr.A.Karthik
For R1 to R4	:	Mr.K.S.Selva Ganesan Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to forbear the Hereditary Trustees, namely, the respondents 5 to 8 herein, from making any arrangements for the temple festival of A/m. Throupathai Amman Temple, situated in Sholavandhan, scheduled to be held from 28.04.2025 to 09.05.2025 and to direct the fourth respondent to conduct the temple festival herself, in light of the report submitted by the fourth respondent before the second respondent, as stated in the reply to the petitioner dated 16.04.2025



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2. The learned counsel for the petitioner submits that the petitioner's family has been performing Poojas and acting as Hereditary Trustees of the Throupathai Amman Temple for five generations. The learned counsel submits that the temple's properties have been swindled and misappropriated by the appointed Hereditary Trustees. Despite several representations, no action was taken and new trustees were appointed by the second respondent in 2022, including individuals accused of encroaching on temple property. Hence, the petitioner sought intervention through a writ petition in W.P.(MD)No.22684 of 2024, which was allowed and the second respondent was directed to act within eight weeks. Though action has been initiated against some trustees, others continue to misuse temple properties without consequences. Therefore, the petitioner requests that these trustees be prevented from conducting the temple festival scheduled for 28.04.2025, as their involvement would be detrimental to the temple's administration.

3. The learned Additional Government Pleader appearing for the official respondents submits that the petitioner is no longer connected to the temple's administration and that the appointment of Hereditary Trustees was made in

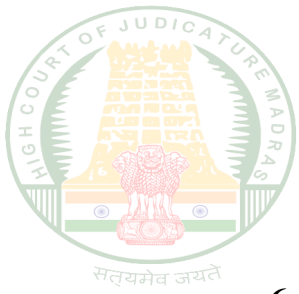


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accordance with law. While some trustees have been accused of wrongdoing, the second respondent has already initiated action and further steps will be taken as required. The temple festival preparations are already underway and there is no legal basis to halt the temple festival. The fourth respondent lacks the authority to take action against the trustees directly and the second respondent is handling the matter. Therefore, the learned Additional Government Pleader requests that the writ petition be dismissed as the necessary actions are being taken.

4. Heard the learned counsel appearing for the parties.

5. Upon considering the above submissions, this Court finds that the petitioner's allegations regarding the misappropriation and encroachment of temple properties have been acknowledged by the respondents and appropriate actions are already being taken to address these issues. The second respondent has initiated proceedings against the trustees involved in illegal activities and the process is ongoing.



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6. This Court also notes that the petitioner is no longer actively involved in the administration of the temple and the temple festival preparations have already commenced in accordance with the established procedures. The respondents have made efforts to recover the temple's land from encroachers and are ensuring that all legal formalities are being followed for the festival.

7. In light of these developments, this Court concludes that there is no need to intervene at this stage. Therefore, the Writ Petition is dismissed, as the actions taken by the respondents are deemed to be sufficient and in compliance with law. The temple festival may proceed as scheduled. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

24.04.2025

To:-

1. The Commissioner,
O/o. Commissioner of HR and CE,
Hindu Religious and Charitable Endowment Department,
Chennai - 34.



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2.The Join Commissioner,
O/o Joint Commissioner, HR and CE Department,
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