



W.P.(MD) No.16628 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.16628 of 2025

and

W.M.P.(MD) No.12627 of 2025

V.S.Thripurasundari,
Hereditary Trustee,
Arulmigu Sri Muthalamman Temple,
Muthalapuram, Vilampatti,
Nilakottai Taluk, Dindigul District.

... Petitioner

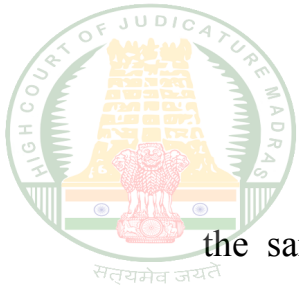
Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Chennai – 600034.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Seelapadi Main Road,
Dindigul.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records relating to the impugned charge memo issued by the second respondent in his proceedings in Na.Ka.No.8036/2024/Aa1 dated 03.06.2025 and quashing



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the same as illegal, arbitrary and in violation of principles of natural justice.

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For Petitioner : Mr.S.Karthick Ramkumar

For Respondents : Mr.S.S.Madhavan
Additional Government Pleader

ORDER

This is the second round of litigation before this Court. Earlier, the petitioner had approached this Court in W.P.(MD) No.24137 of 2024, wherein the petitioner had challenged the Show Cause Notice issued under Section 26 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The relief sought for in the said Writ Petition is as follows:

“for issuance of Writ of Certiorari to call for the records relating to the impugned order in the form of notice issued by the third respondent [The Joint Commissioner] in his proceedings in Na.Ka.No.8036/2024/Aa1, dated 30.09.2024 served upon the petitioner on 04.10.2024 and quash the same.”

2. The said Writ Petition was dismissed by this Court, by an order dated 09.10.2024, with the following observations:



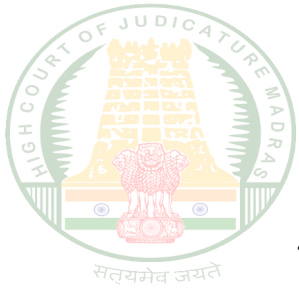
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“12. Considering the submission of the learned Special Government Pleader that a notification is issued by the Tamil Nadu Legislative Assembly regarding the renovation of the temples of the State and the averment made by the petitioner in her affidavit that the petitioner is discharging the duties and responsibilities as the Hereditary Trustee as per the customs and traditions of the temple and as per all applicable laws, this Court is inclined to issue a direction. Accordingly, the petitioner is directed to submit her explanation/representation to the respondents within a period of two weeks from the date of receipt of a copy of this order in connection with the impugned order passed by the 3rd respondent dated 30.09.2024. On receipt of such explanation/representation, the 3rd respondent, after giving sufficient opportunity to the petitioner, shall pass an order in accordance with law.”

3. The case of the petitioner is that, without recalling the earlier notice, the second respondent has now proceeded to issue a fresh charge memo dated 03.06.2025, bearing reference Na.Ka.No.8036/2024/Aa1, based on the report of the Executive Officer, alleging malfeasance and misfeasance. It is submitted that the time granted by the second respondent to respond to the charge memo is inadequate. As a result, there is lack of clarity and considerable confusion, as the second respondent appears to be in a hurry to remove and disqualify the petitioner under Section 26 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

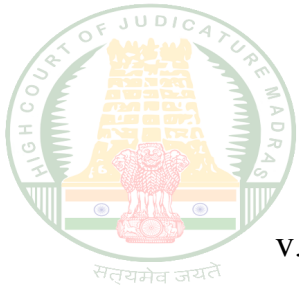


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4. The learned Additional Government Pleader appearing for the respondents, on instructions, submits that the impugned charge memo dated 03.06.2025, bearing reference Na.Ka.No.8036/2024/Aa1, is in continuation of the Show Cause Notice that was impugned in W.P.(MD) No.24137 of 2024, namely, the Show Cause Notice dated 30.09.2024, bearing the same reference Na.Ka.No.8036/2024/Aa1.

5. The above submission of the learned Additional Government Pleader for the respondents stands recorded. Under these circumstances, this Writ Petition is disposed of with the following observations:

- i. The impugned charge memo shall be treated as an addendum to the Show Cause Notice dated 30.09.2024.
- ii. The petitioner shall file a consolidated reply within a period of 30 days from the date of receipt of a copy of this order.
- iii. The second respondent shall pass an order strictly in accordance with Section 26 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.
- iv. Needless to state, before passing such an order, the petitioner shall be afforded an opportunity of being heard.



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v. It is open to the respondents to call for any information that may be necessary for the petitioner to defend himself in the aforesaid proceedings.

vi. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

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C.SARAVANAN, J.

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