

W.P(MD).No.17116 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.17116 of 2025

and

W.M.P(MD)No.12980 of 2025

S.Muthusamy

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul District.

3.The Managing Trustees,
Arulmighu Pattalamman Muthaiah Swamy Temple,
Melmangalam, Periyakulam Taluk,
Theni District.

4.The Executive Officer,
Arulmighu Pattalamman Muthaiah Swamy Temple,
Melmangalam, Periyakulam Taluk,
Theni District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to permit the petitioner to discharge the duty of Hereditary Poojari in the 3rd respondent temple,



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as per the order dated 17.03.2025 in I.A.No.1 of 2025 in A.P.No.04 of 2024 on the file of the 2nd respondent based on the petitioner's representation dated 17.06.2025.

For Petitioner : M/s.A.N.Ramanathan

For R1&R2 : M/s.S.S.Madhavan
Additional Government Pleader

ORDER

The petitioner and the members of the petitioner's family claim to be the poojari of Arulmighu Pattalamman Muthaiah Swamy Temple, Melmangalam, Periyakulam Taluk, Theni District.

2.The petitioner and the members of the petitioner's family were removed from Hereditary Poojariship of the temple by an order dated 14.10.2024 of the third respondent the Managing Trustee. Against which, the petitioner had filed an appeal before the Joint Commissioner, second respondent in A.P.No.4 of 2024. In the said appeal, the petitioner has also filed I.A.No.1 of 2025 which came to be ordered on 17.03.2025 wherein the order dated 14.10.2024 of the third respondent was stayed, by an order of interim injunction till the disposal of the Appeal No.4 of 2024. Aggrieved over the same, the third respondent has filed a revision R.P.No.161 of 2025 before the Commissioner under Section 21(A) of the Tamil Nadu Hindu Religious and Charitable Endowment Act. But, the said revision is still pending at the admission stage. Notice has been issued and no final order has been passed.



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Hence, this writ petition is filed to direct the respondents to obey the order of the
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Joint Commissioner, dated 17.03.2025.

3.In the absence of valid stay from the Commissioner in R.P.No.161 of 2025, the order of the Joint Commissioner, second respondent dated 17.03.2025, in I.A.No. 2 of 2025 in Appeal No.4 of 2024 has to be complied with by the respondents. Hence, there shall be a positive direction to the respondents to implement the aforesaid order by ensuring the petitioner and the family members of the petitioner are not deprived of the right to perform pooja subject to the Arulmighu Pattalamman Muthaiah Swamy Temple, Melmangalam, Periyakulam Taluk, Theni District.

4.Considering the fact that the appeal is of the year 2024 before the second respondent, there shall be a direction to the second respondent to dispose of the appeal as expeditiously as possible preferably, within a period of six months from the date of receipt of a copy of this order.

“(*)5. Since the Kumbabisegam of the Temple is proposed to be held on 27.06.2025, the petitioner and his family members shall be permitted to participate in the Kumbabisegam and to perform the pooja in the temple.”

6.With the above observation and direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.



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Sd/-

Assistant Registrar (CS - II)

(*)Corrected as per order of this Court dated 27/06/2025 made in WP(MD)No. 17116 of 2025

// True Copy //

/ 2025

Sub Assistant Registrar

(CS - I/ II / III /IV)

**Madurai Bench of Madras High Court,
Madurai.**

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To

(*)To be substituted to the order which already despatched on 26/06/2025

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul District.

3.The Executive Officer,
Arulmighu Pattalamman Muthaiah Swamy Temple,
Melmangalam, Periyakulam Taluk,
Theni District.

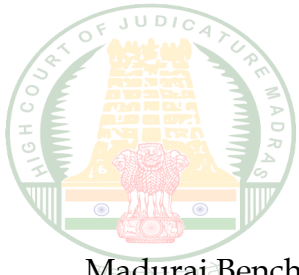
+1 CC to M/s.SPL GP (SR-37445[F] dated 26/06/2025)

+1 CC to M/s.AN.RAMANATHAN, Advocate (SR-37289[F] dated 26/06/2025)

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