



W.A(MD)No.1769 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1769 of 2025
and
C.M.P(MD)Nos.10010 & 10011 of 2025**

Dr.Vasudevan

... Appellant /
Intervenor

Vs.

1.Venkatesan

2.Sathyanarayanan

3.Govindhan

4.Rengarajan

... Respondents 1 to 4 /
Petitioners

5.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.

6.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivakasi Zone, Madurai.



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7. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Virudhunagar District.

8. The Executive Officer,
Arulmighu Andal Nachiar Devasthanam,
Srivilliputhur.

9. The Chairman,
Board of Trustees,
Arulmighu Andal Nachiar Devasthanam,
Srivilliputhur.

... Respondents 5 to 9/
Respondents 1 to 5

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the impugned order dated 20.06.2025 in W.P(MD)No.16500 of 2025 on the file of this Court and allow the Writ Appeal.

For Appellant : Mr.S.Srinivasa Raghavan
for Mr.M.Karthikeya Venkitachalapathy

For Respondent : Mr.P.Valliappan, Senior Advocate
for Mr.V.R.Shanmuganathan
for R1 to R4

Mr.P.Subburaj
Special Government Pleader
for R.5 to R.7

Mr.M.Kannan for R8



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JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.This Writ Appeal is directed against the order dated 20.06.2025 made in WP(MD)No.16500 of 2025 filed by the respondents 1 to 4 herein. The writ petitioners filed the said writ petition for reinstallation of Utsava Murthi of Arulmigu Srinivasa Perumal at Thiruvannamalai Hillock situated outside of Srivippliputhur. Kumbabishegam for Arulmighu Srinivasa Perumal is to be held on 14.07.2025.

3.The claim of the writ petitioners was contested by the appellant by filing an intervention petition. The learned single Judge directed the authority under the HR&CE Act to decide the issue. However, in paragraph no.7, a direction was given for taking the Utsavar to the temple on the day of kumbabishekam which is to be held on 14.07.2025. When the learned single Judge rightly directed the authority under the HR&CE Act to decide the issue, it may not have been appropriate to pass any interim direction set out in paragraph no.7. When there is a factual controversy, the disputed issues have



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to be resolved first. The writ petitioners would be entitled to relief only at the conclusion of such an enquiry and not before that. In any event, the direction set out in paragraph no.7 could not have been issued in favour of the writ petitioners when they had been relegated to avail the statutory remedy.

4.We therefore set aside the direction set out in paragraph no.7 alone of the order passed by the learned single Judge. Other parts of the impugned order passed by the learned single Judge are left intact.

5.This Writ Appeal is partly allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]
01.07.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

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

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2.The Joint Commissioner,
Hindu Religious and Charitable
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Madurai.

3.The Assistant Commissioner,
Hindu Religious and Charitable
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Virudhunagar District.

4.The Executive Officer,
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