

W.P(MD)No.22259 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22259 of 2025

and

W.M.P(MD)Nos.17372 and 17373 of 2025

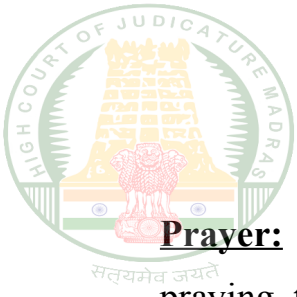
Lingavasagam

... Petitioner

Vs.

- 1.The Commissioner,
Department of Hindu Religious and
Charitable Endowments Board,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34
- 2.The Joint Commissioner,
Department of Hindu Religious and
Charitable Endowments Board,
Thoothukudi,
- 3.The Inspector,
Hindu Religious and Charitable Endowments Board,
Sathankulam,
Thoothukudi District.
- 4.The Executive Officer,
Arulmigu Chidambereswarar Iyinthu
Veettu Samy and Vinayagar Thirukovil,
Chettiayapathu,
Tiruchendur Taluk,
Thoothukudi District.

...Respondents



W.P(MD)/No.22259 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to call for the records pertaining to impugned Notice in Ve.Aa.No.151/SemaThoA/2025/Thudi dated 29.07.2025 issued by the second respondent in daily news paper at dinakaran and dina thanthi dated 30.07.2025 and set aside the same and further to direct the second respondent to decide interlocutory Application vide I.A.No.1 of 2025 in O.A.No.4 of 1999 filed on the file of the second respondent regarding appointment of Trustees in Arulmigu Swami Chitambareswarar Temple.

For Petitioner : Mr.V.Rajiv Rufus

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

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus to quash the impugned paper publication inviting the elections to the office bearers of the trusteeship of the Arulmigu Swami Chitambareswarar Temple.

2. The learned counsel for the petitioner submits that in respect of subject temple, a scheme was framed by the then Deputy Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, Madurai in O.A.No.53 of 1960 vide scheme decree dated 25.08.1961, which was later modified by the first respondent in O.A.No.4 of 1999 on 03.06.2009.



W.P(MD)/No.22259 of 2025

3. It is submitted that the temple in question has been historically managed by three families namely Mootha Nadar, Nadu Nadar and Ilaya Nadar. It is submitted that over a period of time, three families has grown up and presently there are approximately 300 families among the three Nadars. The Ilaya Nadar families has about 141 families, whereas the other two put together have 98 families. As a result of which, there is no scope for any representation in the Board of Trustees of the temple on behalf of the Nadu Nadar, to which the petitioner belongs.

4. It is submitted that there is unfair representation by the members of the Ilaya Nadar in the Board of Trustees. Hence, the petitioner prays that the proposed election held on 28.08.2025 be kept in abeyance.

5. It is fairly conceded by the learned counsel for the petitioner that the petitioner has also filed an application for modification of the aforesaid scheme in I.A.No.1 of 2025 in O.A.No.4 of 1999 on 18.06.2025 and the same is pending before the second respondent.

6. The learned Additional Government Pleader for the respondents submits that the present writ petition challenging the election/selection



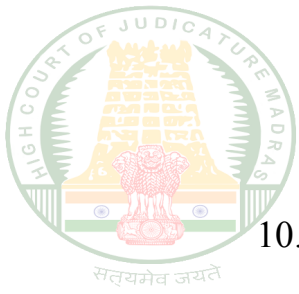
W.P(MD)/No.22259 of 2025

notification is without any merits. It is submitted that the appointments have to be made strictly in accordance with the scheme decree in O.A.No.4 of 1999 dated 03.06.2009. Unless the scheme decree is modified in a manner known to law, there is no scope for deviation.

7. It is further submitted that election notification has to be issued 45 days before the tenure of the previous office bearers of the Board of Trustees expired. Hence, prayed for dismissal of the present writ petition.

8. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

9. Although the grievance of the petitioner appears to be genuine, the question of putting the spokes into the election process at the behest of the petitioner at this stage cannot be entertained as the petitioner has approached this court at the 11th hour before the second respondent by filing an application for modification of the aforesaid decree dated 03.06.2009 in O.A.No.4 of 2009 only on 18.06.2025.



W.P(MD)/No.22259 of 2025

10. Therefore, I am inclined to dispose of this writ petition by directing the second respondent to proceed with the election/selection pursuant to the impugned election notice. The tenure of the elected body shall be for a period of one year subject to any other order that may be passed in the application filed for modification of the scheme decree dated 03.06.2009 in O.S.No.4 of 1999.

11. It is made clear that in case the petitioner succeeds, the tenure of the elected body shall come to an end after a period of one year from the date of election pursuant to the impugned election notification. Thereafter, fresh election shall be held. On the other hand, in case the petitioner fails in I.A.No.1 of 2025 filed on 18.06.2025, the tenure of Board of Trustees pursuant to the impugned election notification will strictly in accordance with scheme decree dated 03.06.2009 in O.A.No.4 of 1999.

12. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

13.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
sn



W.P(MD)No.22259 of 2025

WEB **To** COPY

- 1.The Commissioner,
Department of Hindu Religious and
Charitable Endowments Board,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34
- 2.The Joint Commissioner,
Department of Hindu Religious and
Charitable Endowments Board,
Thoothukudi,
- 3.The Inspector,
Hindu Religious and Charitable Endowments Board,
Sathankulam,
Thoothukudi District.
- 4.The Executive Officer,
Arulmigu Chidambereswarar Iyinthu
Veettu Samy and Vinayagar Thirukovil,
Chettiayapathu,
Tiruchendur Taluk,
Thoothukudi District.



WEB COPY



W.P(MD)No.22259 of 2025

C.SARAVANAN, J.

sn

W.P(MD)No.22259 of 2025

13.08.2025