



W.P.(MD) No. 22583 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 22583 of 2025
and
W.M.P.(MD) No.17705 of 2025**

Muthukumar

... Petitioner

Vs

1. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Madurai District.

2. The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Virudhunagar,
Virudhunagar District.

3. The Inspector,
Arulmigu Kasi Viswanathasamy Temple,
Vathrayapu,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus to direct the respondents 1 and 2 to remove the



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board placed under the caption Oru Kala Poojai Thittam (ஒரு கால பூஜை திட்டம்) with the name of Poosari, Trustee at Arulmigu Thangavinayagar Temple, Vathrayapu, Virudhunagar District on the basis of the petitioner's representation dated 05.06.2025.

For petitioner : Mr. R.G.Shankar Ganesh

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

ORDER

This Writ Petition is taken up for hearing at the time of admission with the consent of the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2. In this Writ Petition, the petitioner has prayed for a Mandamus to direct the respondents 1 and 2 to remove the board placed under the caption 'Oru Kala Poojai Thittam' (ஒரு கால பூஜை திட்டம்) with the name of Poosari, Trustee at Arulmigu Thangavinayagar Temple, Vathrayapu, Virudhunagar District on the basis of the petitioner's representation dated 05.06.2025.



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3. This is the second round of litigation before this Court. Earlier, the petitioner had filed W.P.(MD)No.21845 of 2023, which came to be disposed of 08.09.2023, wherein this Court has ordered as under:

*“5. The aforesaid judgment is supporting the case of the petitioner rather than the respondents. Under clause (55) the Hon’ble Division Bench has specifically directed that “If no hereditary trustees stake claim, then steps must be taken to appoint non-hereditary trustees”. In the present case the petitioner is claiming the hereditary trusteeship and the petitioner had filed the petition under Section 63(b) of Tamil Nadu Hindu Religious and Endowments Act, 1959 (Act 22/1959) recently. Therefore, the respondents are directed to consider the petitioner’s application to recognize his rights and the said exercise shall be completed within a period of six months from the date of receipt of a copy of this order. **Until then the petitioner shall manage the temple and the respondents shall not interfere in the management of the temple.**”*

4. The said order has neither diluted nor reversed by the Hon'ble Division Bench.

5. It appears that the petitioner has also subsequently filed O.A.No.30 of 2023 before the Joint Commissioner under Section 63(b) of TN HR & CE Act, 1959 for declaring the office of the trusteeship held by the petitioner herein and



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one Krishna kumar as hereditary in respect of Arulmigu Thangavinayagar Temple, Vathrayaruppu, Virudhunagar District.

6. It is submitted that few days back, the second respondent has put up a flex board, whereby it has been informed that as per the scheme, for Orukalapoojai, the Temple will be opened between 7 a.m to 8 a.m and one Selvakumar has been appointed as the Poosari of the temple and also the Management of the Temple will be in the hands of one S.Muthumanikandam, who is the Inspector of Arulmigu Kasiviswanatha Swamy Temple. The flex board, which has been put up by the second respondent, is clearly in violation of this Court order in W.P.(MD) No.21845 of 2023 dated 08.09.2023. Relevant portion of the aforesaid order has been extracted above.

7. Therefore, there is no scope for putting up the aforesaid flex board when the petitioner is still in the administration in terms of the aforesaid order. Since the petitioner has given a representation, dated 05.06.2025, there shall be a direction to the respondents to pass an appropriate order on the aforesaid



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representation based on the observations contained herein within a period of four (4) weeks from the date of receipt of a copy of this order.

8. This Writ Petition is disposed of, with the above observations. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No

19.08.2025

Internet : Yes / No

apd

To

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2. The Assistant Commissioner,
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C.SARAVANAN, J.

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