



W.A.(MD)No.2501 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A.(MD)No.2501 of 2025 &
C.M.P.(MD)No.14407 of 2025

T.Murugesan Poosari

... Appellant

/Vs./

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

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

3.The Executive Officer,
Arulmigu Vandi Kaliyamman Temple,
Thadi Kombu Road,
Dindugul District.

... Respondents

PRAYER:- Writ Appeal - filed under Clause XV of Letters Patent Act, to
set aside the order of this Court dated 12.08.2025 in W.P.(MD)No.22013
of 2025 and allow the writ appeal.

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For Appellant : Mr.R.G.Shankar Ganesh
For Respondents : Mr.J.Anand
Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

T.Murugesan Poosari had filed W.P.(MD)No.22013 of 2025 challenging order dated 28.07.2025 calling upon him to hand over charge of Arulmigu Veera Kathiriammal Temple, Perumal Temple, Periyakottai, Dindigul (Temple) as arbitrary, ultravires and in violation of the principles of natural justice and law. That writ petition has come to be disposed on 12.08.2025, learned Judge expressing the view that order dated 28.07.2025 had been preceded by proper enquiry.

2. Since O.A.No.8 of 2025 filed before the Joint Commissioner, Hindu Religious and Charitable Endowments Department for framing a Scheme for administration of the Temple was pending, the Court had directed that, that O.A. shall be disposed within six months.



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3. Pending the exercise of framing a Scheme, a Fit person was appointed to manage the Temple, taking assistance of the petitioner as well as other Poosaries, in connection with the religious aspects were concerned.

4. The writ petitioner is aggrieved, as according to him, the observation by the writ Court that an enquiry had been conducted, is incorrect. He had filed W.P.(MD)No.26716 of 2024 seeking a mandamus directing the Joint Commissioner to take necessary action to recover cash and Temple jewels from two individuals, namely Arumugam and Palanichamy Naickar.

5. That writ petition has been disposed on 08.11.2024 directing appropriate enquiry to be conducted. Hence, according to him, the enquiry was only relating to the recovery of the stolen property and no enquiry has been conducted for handing over charge of the Temple. Moreover, he argues the Temple is Denominational, and hence, there could be no intervention by the Authorities.



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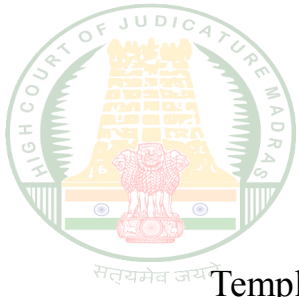
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6. In defence, Mr.J.Anand, learned Additional Government Pleader appearing for the respondents, would point out that the Temple had itself been taken over by the HR & CE Department under Proceedings in Ni.Mu.No.1539070/2025/E1 dated 28.05.2025.

7. Prior to the takeover, notice had been issued to the appellant on 06.03.2025. Though in the body of that notice, there is reference to WP.(MD)No.26716 of 2024, the authority has also made it clear that, the notice was a precursor to takeover of the Temple, calling for objections in that regard.

8. To be noted that, that notice has been addressed to the present appellant and hence he cannot now be seen to state that he was unaware of the move on the part of the HR & CE Department to takeover the Temple. There has been no response by him to that notice.

9. We have taken note of the rival contention as advanced by the parties. Subsequent to the order passed on 28.05.2025 taking over the



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Temple, the Authorities have inventorized the gold and silver items of the Temples and some random inventories are placed before us.

10. We are unaware as to whether the inventories are complete.

In any event, there is a direction to the respondents to ensure that proper action is taken to effect recovery from the two individuals referred to in paragraph No.5 *supra*, per order of this Court, dated 08.11.2024, in W.P. (MD)No.26716 of 2024.

11. In light of the fact that the O.A. seeking framing of Scheme as per Section 64 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 is pending, which also enables a Fit person to be appointed to manage the Temple pending finalization of that Scheme, we do not see any need to intervene in the directions of the learned Judge, except to state that the exercise of deciding the O.A., must be completed within four months from date of uploading of a copy of this order on the official website of this Court.



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12. Having regard to the relevant provisions of law and Framing of Scheme Rules 1960 as notified under G.O.Ms.No.4851, Revenue, dated 26.11.1960, the Fit person who is stated to have taken charge of the Temple shall continue to administer the same, with the assistance of the appellant and other Poosaries.

13. It is made clear that while framing the Scheme, the Authorities shall also take note of the contentions of the appellant to the effect that the Temple is a Denominational Temple and address the same appropriately.

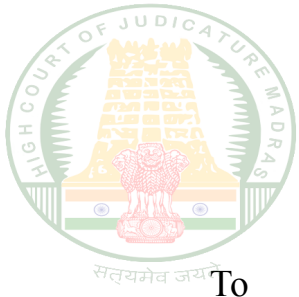
14. This Writ Appeal stands disposed in light of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
01.09.2025

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

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To
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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Order made in
W.A.(MD)No.2501 of 2025

Dated:
01.09.2025