



W.P.(MD) No.23511 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.23511 of 2025
and
W.M.P.(MD) Nos.18473 and 18474 of 2025**

1.P.Sivanesan

2.Thiyagalingam

... Petitioners

/vs./

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikovil,
Trichy.

2.Seventhilingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the impugned order passed by the 1st respondent in OA No.15 of 2024 dated 23.06.2025 quash the same as illegal and against the principles of natural justice, arbitrary, ultra vires and violating the rights of other worshippers of A/m. Pachaiaimman Temple situated at North Thatthamangalam, Mannachanallur Taluk, Trichy District.



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For Petitioners : Mr.D.Boopal
For R1 : Mr.S.Vinodh
Government Advocate
For R2 : Mr.M.Thirunavukkarasu

ORDER

Mr.S.Vinodh, learned Government Advocate takes notice for the first respondent and Mr.M.Thirunavukkarasu, learned counsel takes notice for the second respondent.

2.This writ petition has been filed by the petitioners against the impugned order passed by the first respondent in O.A.No.15 of 2024 under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (*herein after referred to as Act*).

3.By the impugned order, the first respondent has conferred certain privileges to the second respondent, who was the petitioner in O.A.No.15 of 2014. The cause title to the impugned order itself indicates that no person was arrayed as respondent in the impugned order passed by the first respondent conferring certain privileges to the second respondent, who was the petitioner in O.A.No.15 of 2014.



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4.The learned counsel for the second respondent would submit that there is an alternate remedy available by way of an appeal under Section 69 of the Act, even in the case of *suo motu* order passed under Section 63(e) of the Act.

5.It is submitted that the Inspector of HR & CE has obtained statements from the President, Vice President, Secretary, Treasurer and the Priest of the subject temple and thereafter, passed order under Section 63(e) of the Act, whereby, certain rights, which were existing, were recognized by the impugned order.

6.The enquiry behind the back of the petitioners warrants interference, as the enquiry merely is intended to give an idea to the Joint Commissioner as to how to proceed further. However, the Joint Commissioner/the first respondent should have issued a public notice in the vicinity for the members of the devotees of the subject temple to respond.

7.Since the order has been passed behind the back of the petitioners without public notification calling for objections in the petition filed by the



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second respondent, ie., O.A.No.15 of 2014, the impugned order is liable to be quashed and is accordingly quashed and the case is remitted back to the first respondent to re-do the exercise.

8.The first respondent shall issue adequate notice to all the concerned to give their objections and only after considering the objections, if any, orders shall be passed by the first respondent. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

9.With the aforesaid directions, the Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
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28.08.2025

To

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikovil,
Trichy.

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C.SARAVANAN, J.

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