



W.P(MD)No.25479 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25479 of 2025

and

W.M.P.(MD)No.19954 of 2025

1.C.Ganesan

2.C.Arumugam

... Petitioners

Vs.

1.The Commissioner

HR and CE Department,
No.119, Uthamar Gandhi Street,
Thousand lights,
Chennai - 600034.

2.The Joint Commissioner,

Office of Joint Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai - 625016.

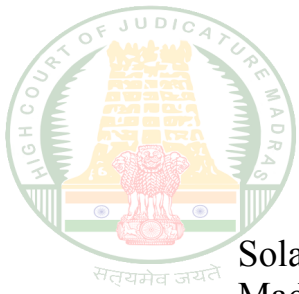
3.The Assistant Commissioner,

Office of Assistant Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai - 625016.

4.The Executive Officer,

Arulmugu Janakaimariamman Temple,

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Solavanthan,
Madurai District.

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5.The Inspector,
HR and CE Department,
Arulmugu Meenachi Amman Temple,
Thirumangalam.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to appoint C.Ganesan as a hereditary trustee by considering the 2nd petitioner's representation on 17.01.2025 within the stipulated time fixed by this Court.

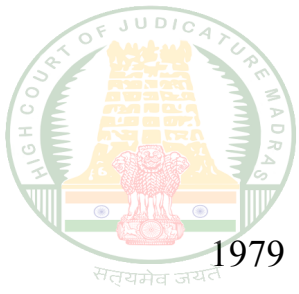
For Petitioners : Mr.G.Sakthi Rao

For Respondents : Mr.G.Suriya Ananth,
Addl. Government Pleader.

ORDER

Heard the learned counsel for the writ petitioners and the learned Additional Government Pleader for the respondents.

2.Chelliya Pandaram, the father of the writ petitioners was declared as the hereditary trustee vide order dated 09.07.1979 in O.A.No.2 of



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1979 on the file of the Deputy Commissioner, Hindu Religious and Charitable Endowments Department, Madurai. Chelliya Pandaram passed away in the year 2009 itself. The first petitioner is the eldest son. The other legal heirs have no objection for entering the name of the first petitioner as the hereditary trustee. Even though such an application was given, till date, the second respondent had not entered his name in the register recognizing him as a hereditary trustee. The Hon'ble High Court in the decision reported in **1990 (1) LW 144 (Prem Anand Vs. Hindu Religious and Charitable Endowments, Madras)** had held that under Section 54 of the Act, when a permanent vacancy occurs in the office of the hereditary trustee of a religious institution, the next in the line of succession shall be entitled to succeed to the office. It has been held that the function discharged by the authority is ministerial character. If there is no dispute, the question of adjudicating does not arise at all.

3.The second respondent is directed to enter the name of the first petitioner herein as the hereditary trustee of the petition mentioned temple. If according to the authorities, the first petitioner suffers from any disqualification, it is open to them to take appropriate proceedings as per law.



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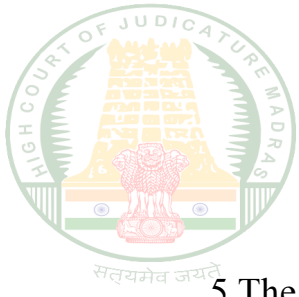
4. With the aforesaid direction and liberty to the respondents, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

17.09.2025

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

1. The Commissioner
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No.119, Uthamar Gandhi Street,
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2. The Joint Commissioner,
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G.R.SWAMINATHAN, J.

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