



W.P.(MD) No.28966 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

CORAM:

**THE HONOURABLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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S.M.A.Gandhimathi Nathan
S/o.S.M.Arumuga Nainar
No.1/151, Arumugam Nagar
Pudukottai, Pudukottai Taluk
Thoothukudi District

... Petitioner

-VS-

1.The State of Tamil Nadu
rep.by the Secretary to
Government
Department of Hindu Religious
and Charitable Endowment
Fort St.George, Secretariat
Chennai-9

2.The Commissioner
Department of Hindu Religious
and Endowment
No.119, Uthamar Gandhi Road
Nungampakkam Highways
Chennai-34



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3.The District Collector
Collectorate
Thoothukudi District

4.The Joint Commissioner
Hindu Religious and Charitable
Endowment (HR & CE)
Arulmigu Subramania Swamy Temple
Tiruchendur, Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to constitute a Board of Trustees for Respondent No.4/ Arulmigu Subramania Swamy Temple, which comes under the Department of Hindu Religious and Charitable Endowment, in light of section 77-A and 47(c) of Hindu Religious and Charitable Endowments Act, 1959, by considering the representation made by the petitioner dated 10.09.2025 within time prescribed by this court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.Veera.Kathiravan
Additional Advocate General-II
assisted by Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.A.K.Sri Ram
Senior Counsel
assisted by Mr.Muthu Geethaiyan for R4



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard.

2. The only grievance, which is ventilated through this PIL, is that the Board of Trustees, as required to be constituted under the provisions of the Hindu Religious and Charitable Endowments Act, 1959, in respect of the fourth respondent – Temple, namely, Arulmigu Subramania Swamy Temple, Tiruchendur, Thoothukudi District, has not so far been constituted and the affairs of the Temple are being managed by a Fit Person since more than one year, though such appointment was made only as a stopgap arrangement. The allegation of the petitioner is that the respondents are avoiding to constitute the Board of Trustees and allowing the entire affairs of the Temple to be managed by a person in the name of Fit Person arrangement.



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3. Taking into consideration that the Board of Trustees has not been constituted since long time and only a Fit Person is managing the affairs of the Temple for more than one year, we are of the view that it is high time that the respondent – authority should expedite the process of constitution of the Board of Trustees without further delay.

4. In view of the statement made by the learned State Counsel and counsel appearing for other parties, we direct the State Government to expedite the process of constitution of the Board of Trustees at the earliest and complete the exercise within an outer time limit of four months. The Secretary of the Department shall ensure that all steps required to be taken, including invitation of application, scrutiny thereof and communication at different levels, shall be undertaken stage-wise in a time-bound manner. Non-adherence to the time schedule shall be treated as an act of overreaching and violation of the court order and appropriate action shall be taken against the respondent officials.



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5. With the above observations, the petition is disposed of. There shall be no order as to costs.

[MANINDRA MOHAN SHRIVASTAVA, C.J.] [R.POORNIMA, J.]

14.10.2025

NCC : Yes / No
Index : Yes / No

krk

To:

- 1.The Secretary to Government,
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and Charitable Endowment,
State of Tamil Nadu,
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Chennai-9.
- 2.The Commissioner,
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