



W.P(MD)No.32630 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32630 of 2025

M.Sivapandi

... Petitioner

Vs.

1.The Commissioner,
HR & CE Department,
No.119, Uthamar Gandhi Street,
Thousand Lights,
Chennai-600034.

2.The Joint Commissioner,
Office of Joint Commissioner,
HR & CE Department,
B1 Road, Ellis Nagar,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to appoint the petitioner as Hereditary trustee of Arulmigu Sivankoil Parameswaran Temple, Melakuilkudi, on the basis of the representation of petitioner dated 03.09.2025 and 25.09.2025 for within a time frame as may be fixed by this Court.



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For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

Heard both sides.

2. Vide order dated 09.12.1985 in O.A.No.35 of 1985, the Deputy Commissioner, HR & CE Department, Madurai had declared that the office of the petition mentioned temple is hereditary in nature. Machakalai and Karuppiyah Thevar were declared as hereditary trustees. Machakalai passed away in 2017. The writ petitioner is his son. On 03.09.2025, the petitioner submitted an application for recording his name as hereditary trustee under Section 54(1) of the HR & CE Act. Since the said application was not disposed of, this writ petition came to be filed.

3. The second respondent has to satisfy himself only on two aspects

A. Death of Machakalai

B. The petitioner is the sole legal heir of Machalakali.

If there are other legal heirs, No Objection Certificate must be obtained from



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them. On satisfaction on these two counts, the application filed by the petitioner will have to be allowed. The Hon'ble High Court had held in more than one case that the act of recording the name of the legal heir of the deceased as hereditary trustee is ministerial in nature. This exercise shall be carried out within a period of two months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs.

14.11.2025

Index : Yes / No
Internet : Yes/ No
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