



1

W.P.(MD)NO.33220 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.33220 of 2025

AND

W.M.P.(MD)Nos.26333 to 26235 of 2025

Arunachalam

... Petitioner

Vs.

1. The Commissioner,
The Hindu Religious and Charitable
Endowments Department,
Chennai.
2. The Joint Commissioner,
The Hindu Religious and Charitable
Endowments Department,
Sivagangai.
3. Arulmigu Karpaga Vinayagar Temple,
Rep. By its present Trustee,
Pillaiyarpatty, Sivagangai District.
4. Ramasamy
5. C.T.Palaniappan
6. Kumarappan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.En.6746/2025/AA1 dated 11.11.2025 passed by the second respondent and quash the same and



consequently direct the second respondent to recognize and register the petitioner's name from the Konapattu K.A.P.Arunachalam family, as one of the two hereditary trustees of Arulmigu Karpaga Vinayagar temple, Pillaiyarpatti for the year 2025-2026.

For Petitioner : Mr.K.Navaneetharaja
For R-1 & R-2 : Mr.P.Subbaraj,
Special Government Pleader.
For R-3 : Mr.VR.Shanmuganathan
For R-4 : Mr.V.Meenakshi Sundaram
for Mr.D.Nallathambi

* * *

ORDER

Heard both sides.

2.The case on hand raises the question as to who should represent K.A.P.Arunachalam family in the Board of Trustees of Arulmighu Karpaga Vinayagar temple during the current turn. It is not in dispute that the turn of this family will come only once in eight years. K.A.P.Arunachalam was blessed with five sons, namely, Palaniyappan, Arunachalam, Kumarappan, Subramaniyan and Somasundharam. Kumarappan settled in Burma and he is no more. His legal heirs have not staked any claim. Thus, four branches represented



K.A.P.Arunachalam family. Even among the four branches, one branch, namely, S.M.Arunachalam S/o.Somasundaram was without any legal heir. The number of branches, thus, got reduced to three ie., Palaniyappan, Arunachalam and Subramaniyan branches.

3.The writ petitioner as well as the fourth respondent are siblings and grandsons of Palaniyappan. The writ petitioner was given in adoption to Arunachalam (second branch). As a result, when the turn of Arunachalam family came in the year 2009, the writ petitioner as the adopted son of A.Arunachalam (second branch) assumed office as trustee. The next turn of Arunachalam family fell in 2017-18. Thus, a representative of the third branch ie, A.Subramaniyan branch, officiated as trustee during 2017-18. The next turn for the family has arisen now ie., 2025-26. It is now the turn of first branch ie, Palaniyappan branch.

4.Thus, the cycle will be as follows :

A.Palaniyappan branch - A.Arunachalam branch -
A.Subramaniyan branch – A.Palaniyappan branch and so on.

Since in 2017-18, A.Subramaniyan branch was represented, it is now the turn of A.Palaniyappan branch. The fourth respondent has been chosen as the person to represent the said branch in the trust board.



5. Since the writ petitioner had been given in adoption, he can no longer represent Palaniyappan branch. Section 12 of the Hindu Adoptions and Maintenance Act, 1956 states that an adopted child shall be deemed to be the child of his or her adoptive father or mother for all purposes with effect from the date of the adoption and from such date all the ties of the child in the family of his or her birth shall be deemed to be severed and replaced by those created by the adoption in the adoptive family. Therefore, there is a statutory bar for the petitioner to represent the biological family in which he was born. He can represent only the adoptive family ie., A.Arunachalam branch. In fact, the writ petitioner had already enjoyed the fruits of adoption by representing the adoptive family in the year 2009-10.

6. The petitioner's grievance is that while Palaniyappan branch had officiated as trustees on as many as three occasions, A.Arunachalam branch had officiated as trustee only on one occasion ie., in the year 2009-2010. Therefore, the petitioner states that all the members of K.A.P.Arunachalam family should constitute the general body and they should elect the trustee when the turn of Arunachalam family comes. Such historical grievances cannot be remedied in the present proceedings. This is a larger issue. This may have to be



adjudicated elsewhere. It cannot be decided in exercise of writ jurisdiction. The petitioner will have to wait for his turn which will come in the year 2033-2034. The fourth respondent may assume office as trustee of the temple as per the decision of the A.Palaniappan branch. I have consciously employed the expression "family" to refer to all the descendents of K.A.P.Arunachalam and the expression "branch" to a particular lineage.

7.This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

26.11.2025

Index : Yes / No
Internet : Yes/ No
PMU/skm

Note : Issue order copy on 08.12.2025

To:

1. The Commissioner,
The Hindu Religious and Charitable
Endowments Department,
Chennai.
2. The Joint Commissioner,
The Hindu Religious and Charitable
Endowments Department,
Sivagangai.



WEB COPY



6

W.P.(MD)NO.33220 OF 2025

G.R.SWAMINATHAN,J.

PMU/skm

W.P.(MD)No.33220 of 2025

26.11.2025