



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 249 of 2026
and
WMP No. 290 & 293 of 2026**

M.A. Murugan

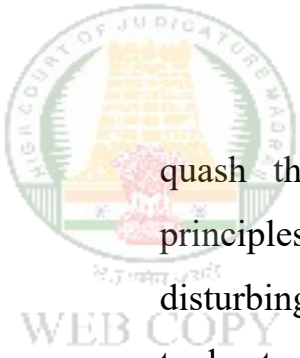
Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam, Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Kariya Perumal Karadu Road,
Nethimedu, Salem-636 002
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Arulmigu Kottai Mariamman Temple,
Salem and Taluk, Salem District.
- 4.The Executive Officer,
Arulmigu Meenatchi Chokkanathar,
Gnanathandayuthapani Swami Temple, Mettur Taluk,
Salem District.
- 5.The Inspector,
Hindu Religious and Charitable Endowment Department,
Salem District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the record relevant to the impugned notice dated 26.12.2025 passed by the fourth respondent and



quash the same is illegal, improper, unreasonable, arbitrary against the principles of natural justice and thereby forbearing the respondents from disturbing the petitioner's peaceful possession and enjoyment of doing the day to day temple affairs of the Arulmighu Chinna Palani Andavar Temple in Survey No.426/2, Mallikuntham Village, Mettur Taluk, Salem District.

For Petitioner: Mr. B.Sundarapandiyan

For Respondents: Mr.N.R.R.Arun Natarajan,
Special Government Pleader

ORDER

The writ petition is filed challenging the impugned notice dated 26.12.2025 passed by the fourth respondent and to quash the same as illegal and to forbear the respondents from disturbing the petitioner's peaceful possession and enjoyment in carrying out the day-to-day temple affairs of Arulmighu Chinna Palani Andavar Temple in Survey No.426/2, Mallikuntham Village, Mettur Taluk, Salem District.

2. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the material records of the case, the grievance of the petitioner is that the temple in question is claimed to be a private temple belonging to him. It is the further contention that even his father's *samadhi* is inside the said premises. The petitioner has already filed O.A. No.2 of 2022 before the second respondent seeking a declaration that the temple is a private temple and the same is pending. The petitioner has also filed

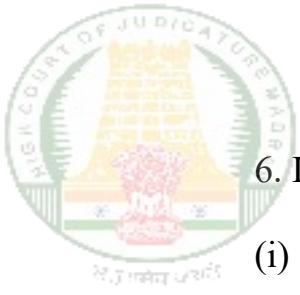


a suit for bare injunction before the civil Court, which is also pending. Pending the same, the impugned notice has been issued regarding the *Tirupani*. Therefore, the petitioner seeks to quash the impugned order.

3. *Mr.N.R.R.Arun Natarajan*, the learned Special Government Pleader takes notice on behalf of the respondents and submits that once the petitioner collects money from the public, the authorities are entitled to issue the notice.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. The claim of the petitioner is that the temple in question is a private temple belonging to him. The law in that regard is well settled that the person claiming so should have a declaration in his favour. The petitioner has already approached the authorities by way of O.A. No.2 of 2022 and the same is stated to be pending. Therefore, so long as such declaration has not been made and even the civil suit filed is only for injunction and not for declaration, as on date, in the absence of any interim order, the petitioner cannot challenge the impugned notice.



6. In view thereof, this writ petition is *disposed of* on the following terms:

(i) The second respondent shall take up O.A.No.2 of 2022 for disposal at the earliest, after issuing due notice to the petitioner and any other person who may be interested in respect of the temple.

(ii) After hearing the necessary parties, a decision in accordance with law shall be taken and final orders shall be passed within a period of two months from the date of receipt of the web copy of the order, without waiting for the certified copy of the order.

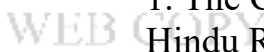
(iii) It is open to the petitioner to seek any interim relief either in the said original application or in the pending suit, if so advised.

(iv) Consequently, connected miscellaneous petitions are closed. No costs.

07-01-2026

Neutral Citation: Yes/No

ns1



1. T

- <https://www.mhc.tn.gov.in/judis>



WEB COPY

WP No. 249 of 2026



**D.BHARATHA
CHAKRAVARTHY J.**

ns1

WP No. 249 of 2026

07-01-2026