



WEB COPY

WP No. 4158 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 4158 of 2023

and

WMP.Nos.4200 & 16027 of 2023

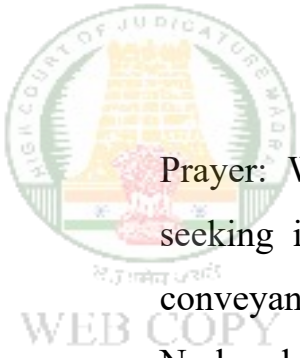
Sri Arulmigu Thiruvaleeswarar
Thirupurasundari Temple,
Rep.by Hereditary Trustee,
Dr. Ravi K.Viswanathan, S/o. Kasi Viswanathan,
No. 24/17, Wallace Garden 3rd Street,
Chennai – 600 006.

..Petitioner(s)

Vs

1. The Chief Secretary,
Planning Development and Special Initiatives
(S.I.) Department, Fort St. George,
Chennai - 600 009.
2. The District Collector,
Collectorate, Thiruvallur District.
3. The Hindu Religious and
Charitable Endowment Board,
Rep.by its Commissioner,
Nungambakkam High Road,
Nungambakkm, Chennai - 600 034.
4. Chennai Metro Rail Ltd.,
Rep. by its Chairman and Managing Director,
Administrative Building,
Poonamalle High Road,
Koyembedu, Chennai - 600 107.

..Respondent(s)



Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, to direct the 4th respondent for re-conveyance of land measuring an extent of 12425 sq.mtrs., in Survey No. 29, Nerkundram Village, Ambattur Taluk, Tiruvallur District in favour of Arulmighu Thiruvaleeswarar Thirupurasundari Temple.

For Petitioner(s): Mr.R.Thiagarajan

For Respondent(s): Mrs.S.Anitha
Special Government Pleader for R1 & R2

Mr.Ravichandran
Additional Government Pleader for HR & CE

Mr.B.Vijay for R4

ORDER

This Writ Petition has been filed for a mandamus, direct the 4th respondent for re-conveyance of land measuring an extent of 12425 sq.mtrs., in Survey No. 29, Nerkundram Village, Ambattur Taluk, Tiruvallur District in favour of Arulmighu Thiruvaleeswarar Thirupurasundari Temple.

2. The petitioner / Hereditary Trustee claims to be in possession and enjoyment of the Arulmighu Thiruvaleeswarar Thirupura Sundari Temple, Nerkundram, Chennai, which was purchased by his ancestors in the year 1941 and all the affairs of the temple have been managed and taken care of by the members of the petitioner's family. While that being so, HR&CE Department tried to interfere in the administration of the temple and O.A.No.36 of 1978 was



filed by the petitioner's father before the Joint Commissioner under Sections 63 (a)&(b) of the TN HR & CE Act for declaration that the temple is a private temple. The said OA was dismissed on 19.09.2008 and the appeal preferred as against the same was also dismissed by the first respondent in A.P.No.35 of 2009 on 15.06.2010. Being aggrieved, O.S.No.157 of 2010 was filed before the Subordinate Judge, Poonamallee. Thereafter, the Trial Court vide order dated 25.02.2011 in I.A.No.723/2010 rendered a finding that hereditary trustees alone are in Management and ordered *status quo* and the 3rd respondent was also impleaded in the suit. Subsequently, the suit was dismissed for default. Now the 3rd respondent trying to take undue advantage of the situation, has issued the impugned notice claiming that he has taken *suo motu* charge on 22.04.2024 and is trying to usurp the administration and alter the character of the temple. Hence, the petitioner has come up with the present writ petition.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that while entertaining this writ petition, this Court granted an order of interim status quo. In the meantime, the petitioner filed a restoration application before the trial Court for restoring the suit and the suit got restored and subsequently, injunction was also granted. Hence, this Court may close the writ petition by observing that the impugned order will be subject to the result of the suit.



4. The learned counsel appearing for the official respondents have no objection for closing the writ petition by the aforesaid observation, however, submits that pursuant to the impugned order, Fit Person was taken over the charge and now he is performing poojas.

5. In the light of the aforesaid submissions made, without expressing anything on merits, this Writ Petition stands closed with an observation that any action taken pursuant to the impugned order will be subject to the outcome of the Suit in O.S.No.157 of 2010 on the file of the Subordinate Court, Poonnamallee. There shall be no order as to costs. Connected miscellaneous petitions are closed.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KKN



To

1. The Chief Secretary,
Planning Development and Special Initiatives (S.I.) Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Collectorate, Thiruvallur District.
3. The Commissioner,
The Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Nungambakkm, Chennai - 600 034.
4. The Chairman and Managing Director,
Chennai Metro Rail Ltd.,
Administrative Building,
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KRISHNAN RAMASAMY, J.

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