



WEB COPY

W.P. No.4216 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**W.P. No. 4216 of 2025
and
W.M.P. No.55188 of 2025**

1. M.Kumbaraj
2. Venkatesh D
3. S.Vignesh
4. S.T.Deenadayalan
5. S.T.Vasudevan
6. Janarthanan.P

..Petitioners

Vs

1. The Secretary to Government
Department of Hindu Religious and Charitable
Endowment Fort St.George, Chennai-600 009
2. The Commissioner



Hindu Religious and Charitable Endowment
Department, Nungambakkam, Chennai-600 034

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3. The Joint Commissioner
Hindu Religious and Charitable Endowment
Department, Sathuvachari, Vellore
4. Sree Veeraraghava Swami Devasthanam
Rep by Hereditary Trustee, HH Jeer of Sri
Ahobila Muth, Tiruvallur-602 001

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for writ of Mandamus, directing the respondents 1 to 4 to provide permanent employment and also to provide its related benefits based on the representation of the petitioners dated 30.11.2024.

For Petitioner : Mr.B.Govindaprabu

For Respondents: Mr.S. Ravichandran

Addl. Govt. Pleader for HR & CE
for RR1 to 3

Ms.Shubharanjani Ananth M. for R4

ORDER



The petitioners have filed the present writ petition seeking a direction to the respondents 1 to 4 to provide permanent employment and other attendant service benefits by considering their joint representation dated 30.11.2024.

2. Learned counsel for the petitioners submitted that the petitioners were appointed in different capacities such as casual labourers and caretakers viz., Byadha Gosalai Incharge etc., and have put in more than ten years of continuous service. Further he submitted that though they have been working in permanent posts, no order conferring permanent status has been passed in petitioners' favour. Therefore, ventilating their grievances, petitioners made a joint representation on 30.11.2024 seeking regularisation and other benefits. Since the same has not been favourably considered, the present writ petition has been filed.

3. Learned Counsel for the fourth respondent submitted that the fourth respondent is a Devasthanam/Temple administration and does not come within the purview of "State" $\frac{1}{2}$ under Article 12 of the Constitution of India and therefore, no writ would lie against the fourth respondent. She further contended that the issue involves disputed questions of fact relating to appointment, nature of engagement and continuity of service, which cannot be



adjudicated in a writ petition under Constitution of India. She also submitted that the petitioners' representation has already been considered and the benefits admissible, subject to the financial and administrative position of the Devasthanam, have been communicated to the petitioners by way of letter, as stated in the counter affidavit. Hence, the writ petition is not maintainable and the same is liable to be dismissed.

4. This Court has considered the submissions made on either side and perused the materials available on record.

5. It is not in dispute that the petitioners were appointed by the Devasthanam and not by the HR and CE Department directly. The issue as to whether the petitioners are entitled to permanent status involves examination of factual aspects such as mode of appointment, sanctioned posts and continuity of service. Such disputed questions cannot be effectively adjudicated in proceedings under Article 226 of the Constitution of India.

6. This Court notes the specific stand taken by the fourth respondent in the counter affidavit that the petitioners' representation dated 30.11.2024 has already been considered and that certain benefits, as admissible in accordance with the financial position and applicable rules of the



Devasthanam administered under the Hindu Religious and Charitable Endowments Department, have been extended to the petitioners. However, in order to ensure transparency and to avoid any ambiguity, this Court is of the view that the details of the benefits conferred upon the petitioners shall be communicated to the petitioners in a formal manner, if not already communicated, as expeditiously as possible. In the above circumstances, this Court is not inclined to grant the relief as sought for.

7. With the above observations and directions, this writ petition stands disposed of. However liberty is granted to the petitioners to work out their remedy in the manner known to law before the appropriate forum, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

23-01-2026

(1/2)

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VSI-2

To



1. The Secretary To Government
Department of Hindu Religious and Charitable
Endowment Fort St.George, Chennai-600 009
2. The Commissioner
Hindu Religious and Charitable Endowment
Department, Nungambakkam, Chennai-600034
3. The Joint Commissioner
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M.DHANDAPANI, J.



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