



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 2652 of 2022

AND

WMP NO. 2809 OF 2022

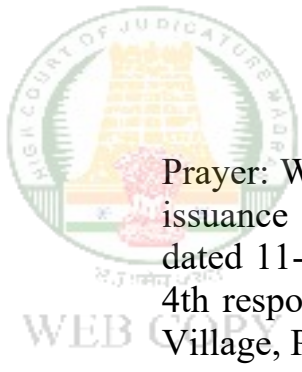
1. T.Rajendran
2. A.Jayaprakash
3. K.A.Gowri Shankar

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious and charitable Endowments
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai- 34.
2. The joint commissioner
Hindu Religious and charitable Endowments
Department, Salem-1.
3. The Inspector
Hindu Religious and charitable Endowments
Department, Paramathi Velur Taluk, Namakkal
District.
4. The Executive Officer
Arulmighu Vinayagar Mariamman koil,
Velakoundampatti, Namakkal District as Fit
Person of Arulmighu Vengaraian Temple,
Vengarai Village, Paramathi Vellore Taluk,
Namakkal District.

..Respondent(s)



Prayer: Writ Petition is filed under Article 226 of the Constitution of India for a issuance of writ of Certiorari to quash the proceeding of the 2nd respondent dated 11-9- 2020 made in Se.Mu. Na. ka. No. 9910 / 2017 / E1 appointing the 4th respondent as Fit Person in Arulmighu Vengaraiamman Temple, Vengarai Village, Paramathi Vellore Taluk, Namakkal District.

For Petitioner(s): Mr.T.S.Vijaya Raghavan

For Respondent(s): Mr.N.R.R.Arun Natarajan, Special Government Pleader (HR&CE)

Order

The Writ Petition is filed challenging the impugned order of the 2nd respondent wherein the petitioners, who are the hereditary trustees of Arulmighu Vengaraiamman Temple, was temporarily suspended and appointed the 4th respondent as Fit Person.

2. The case of the petitioners is that they are the hereditary trustee of Arulmighu Vengaraiamman Temple situated in Vengarai Village, Paramathi Vellore Taluk, Namakkal District and thereby managed the affairs of the temple. While being so, on several false allegations of certain villagers against the petitioners, the 3rd respondent forced the petitioners to pass a resolution for appointment of an Executive Officer. The Executive Officer was also appointed on 09.03.2020, which was challenged in W.P.NO.13693 and 2020 and it is pending.



3. That being the position, based on the false allegations, the 2nd respondent has initiated disciplinary proceedings against the petitioners under Section 53(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. On enquiry, the petitioners were placed under temporary suspension by impugned order dated 11.09.2020 and vide the very same impugned order, the 2nd respondent also appointed the 4th respondent as Fit Person. Aggrieved by the impugned order of suspension and the order of appointment of the 4th respondent as Fit person, the petitioners are before this Court.

4. The learned counsel for the petitioners submitted that under Section 54(2) of the Act, if a temporary vacancy arises in the office of the Hereditary Trustee by reason of suspension, the next in line of succession shall be entitled to succeed and perform the functions of the Trustee. However, the 2nd respondent without following the process of law, had appointed 4th respondent as Fit Person, which is bad for non consideration of the persons next in line of succession.

5. He further submitted that though an enquiry was conducted and the petitioner was placed under temporary suspension, it has not proceeded further and still pending.



6. The learned Special Government Pleader (HR&CE) appearing for respondents submitted that the petitioners have been placed under suspension for alleged maladministration and misappropriation of temple funds and they can disprove their allegations by participating in their enquiry. Due to bifurcation, the enquiry process was delayed. Further it is submitted that in WP.No.13693 of 2020, which was filed challenging the appointment of the Executive Officer, this Court directed the next person in line of succession to make application and directed the respondents 1 and 2 to pass necessary orders on the said application for handing over the administration of the temple to the next person in line. Pursuant to the order of this Court, the concerned person made application vide MP.NO.7 of 2023, on the file of the Joint Commissioner, Erode, for handing over the administration of the temple. Hence, this Court may issue direction to the Joint Commissioner, Erode, to pass suitable orders on the said application. Further this Court may also issue direction to the respondents to conclude the disciplinary proceedings against the petitioners.

7. This Court has considered the rival submissions and also perused the materials available on record.

8. It is not in dispute that as on today the petitioners are under suspension on the allegation of mis-management. As per law, the next person in the line of succession is entitled to act as hereditary Trustee in the temporary vacancy



created by suspension of petitioners. It is informed that the next person in line also made an application before the Joint Commissioner, which is pending.

Therefore, this Court considering the facts and circumstances of the case, issues direction to the Joint Commissioner, Erode, to pass appropriate orders on the application / request made in MP.NO.7 of 2023, within a period of twelve weeks from the date of receipt of a copy of this order. Till such time, the Fit Person who appointed by the 2nd respondent shall continue in the said post for effective administration of the Temple.

9. This Court also directed the respondents to conclude the disciplinary proceedings initiated against the petitioners within a period of twelve weeks from the date of receipt of a copy of this order.

10. This Writ Petition stands disposed of with the above directions. No costs. Consequently connected miscellaneous petitions are closed.

02-03-2026

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

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WP No. 2652 of 2



To

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M.DHANDAPANI J.

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