IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 651 of 2026 and
CMP.No.3518 of 2026

V.Balasubramanian

..Petitioner(s)

Vs

1.Annadurai

2.G.Venkatachalam

3.A.Govindaraj

4.P.R.Chandran

5.P.Manoharan

6.P.Kumanan

7.K.V.Mani

8.The Assistant Commissioner

Office of Assistant Commissioner,

Hindu Religious and Charitable Endowment

Department,

Kottaimariamman Kovil Complex,

Salem 636 001.

9.S.Baskar

S/o. Subramani,

Chariman of the Board of Trustees,

53, Drowbathi Amman Kovil Street,

Kandampatti,

Salem-5.

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and final order dated 13.11.2025 made in I.A.No.6 of 2024 in O.S.No.756 of 2017 on the file of the II Additional District Munsif Court, Salem.

For Petitioner(s): M//s.Zeenath Begum

ORDER

The civil revision petition is filed challenging the order passed by the trial court allowing the application filed by the first respondent/plaintiff seeking impleadment of respondents 8 and 9 as party defendants.

2. The first respondent herein filed a suit seeking declaration that he is entitled to perform poojas in Lord Dhroupathiamman, Murugan and Vinayagar Temples at Kandampatty Village as per the compromise decree in O.S.No.154 of 1956 and also for consequential injunction restraining the defendants 1 to 6 in the suit.

3. The first respondent filed instant application seeking impleadment of proposed parties on the ground that subsequently the temple was taken over by the HR & CE department and hence, the jurisdictional Assistant commissioner of HR & CE department shall be impleaded. The first respondent also wanted to implead one Baskar, who acted as Managing Trustee of the temple at the relevant point of time. The said application was allowed by the trial court. Aggrieved by the same, the petitioner/7th defendant has come before this court.

4. It is not in dispute that the temple administration has been taken over by the HR & CE department and non-hereditary trustees were appointed to look after the administration.

5. The learned counsel for the petitioner vehemently contended that subsequent to the impleading application, the 9th respondent herein resigned his position as Managing Trustee and therefore, his impleadment is not at all necessary. It is further submitted that the main dispute is between the petitioner and the first respondent and the presence of HR & CE department is not at all necessary.

6. The dispute in the suit is regarding the performance of pooja in a temple. Admittedly, subsequent to the filing of the suit, the temple has been taken over by the HR & CE department and therefore, the presence of the department will certainly help the court to decide the issue in a more comprehensive way.

7. As far as 9th respondent is concerned, there is no material available on record to suggest that he resigned from managing trusteeship. The petitioner in his affidavit only mentioned that he came to understand that 9th respondent resigned from managing trusteeship. However, the 9th respondent remained ex-parte and in the counter filed by the 8th respondent, there is no reference about the resignation of the 9th respondent. It appears that the 9th respondent has been appointed as one of the non-hereditary trustees and he has been elected as Managing Trustee of the temple. Merely because he resigned from the post of

Managing Trustee, he will not be out of administration as he is entitled to continue as member of the board of trustees till expiration of his term of office. In view of the same, I do not find any irregularity or illegality in the order passed by the trial court. Accordingly, the civil revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

12-02-2026

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

The II Additional District Munsif Court, Salem.

S.SOUNTHAR, J.

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