



WEB COPY

WP No. 14006 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 14006 of 2025

M.Arumugam

S/o. Munusamy, Si, Hibiscus Apartment, No.35,
Plot A, Naduvankari, Shanthi Colony, Chennai-
040.

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious And Charitable Endowments
Department, 119, Uthamar Gandhi Rd,
Thousand Lights West Nungambakkam,
Chennai-34.
2. The Executive Officer
Arulmigu Ekambareshwar Temple,
Aminjikarai, Chennai- 29.
3. K.Balaji
S/o.Kannan, No.42, South Kara Cordun
Street, Aminjikarai, Chennai-29

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Quo-Warranto, Directing the 1st and 2nd respondent to disqualify the 3rd respondent from holding the office of Trustee of Arulmigu Ekamarewar Tirukoil, Aminjikarai, Chennai and pass.

For Petitioner(s): Mr.B.Hari Krishnan

For Respondent(s): Mr.N.R.R.Arun Nataraja, Special Government
Pleader for R1 and R2
No appearance for R3



Order

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This Writ Petition is filed to direct the 1st and 2nd respondent to disqualify the 3rd respondent from holding the office of Trustee of Arulmigu Ekamarewar Tirukoil, Aminjikarai,

2. Case of the petitioner is that Arulmigu Ekamarewar Tirukoil, Aminjikarai, Chennai, is very ancient temple, dedicated to Lord Shiva. The Inspector, HR and CE Department, vide notification dated 17.12.2021, called for application from eligible candidates for selection to the post of Trustee of the said temple by prescribing certain terms and conditions. The 3rd respondent has also been selected as one of the Trustee of the said Temple. It is the specific contention of the petitioner that the selection of the 3rd respondent as the Trustee of the said temple, is against the terms and condition mentioned in the notification dated 17.12.2021, as the 3rd respondent is in occupation of temple land and has not paid rents to the Temple. Hence, the petitioner submitted representations, questioning the selection of 3rd respondent as the Trustee of the Temple, however no action has been taken so far. Hence, the petitioner is before this Court.

3. Learned counsel for the petitioner submitted that the selection of the 3rd respondent as the Trustee is contrary to terms and condition of the selection,



because, in one of the conditions, it was specifically stipulated that a Certificate should be obtained from the Temple that the candidate is not a lessee/encroacher/trespasser of temple lands. In the present case on hand, the 3rd respondent has encroached the temple land and constructed building over the land and let out portions to various persons and collecting rents, which is contrary to the terms and condition of the selection. Hence, the petitioner prays for appropriate direction to disqualify the 3rd respondent.

4. Though very many grounds have been raised, learned counsel for the petitioner limited his prayer to the extent that this Court may issue direction to the 1st respondent to conduct enquiry on the basis of the petitioner's representation dated 10.12.2024, after issuing notice to the 3rd respondent and pass appropriate orders.

5. The learned counsel appearing for the respondents has no objection for such an order being passed by this Court.

6. Heard the learned counsel appearing for the petitioner and learned counsel appearing for the respondents.

7. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs



the first respondent to conduct enquiry on the basis of the petitioner's representation dated 10.02.2025, after issuing notice to the 3rd respondent and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, after providing opportunity of personal hearing to the 3rd respondents and other concerned persons including the petitioner.

8. With the above observations, this Writ Petition is disposed of. No costs.

06-04-2026

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

SK

To

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Hindu Religious And Charitable Endowments
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