



WEB COPY



W.P. No.13546 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.13546 of 2022

and

W.M.P. Nos.12743, 12745 and 12746 of 2022

P.Palaniappan

...

Petitioner

Vs

1. The Assistant Commissioner
HR & CE Department
Namakkal.

2. The Fit Person
A/m Brammalingeswarar and
Venugopalaswamy Temples
Kokkarayanpettai Village
Komaarapalayam Taluk
Namakkal District.
Having Office at
A/m.Ilaya Perumal @ Venkatramasamy Temple
Korakuttai
Thiruchengode Taluk
Namakkal District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 07.01.2022 bearing Se.Mu.Nata.Na.Ka.No.4180/2021/A6 on the file of the 1st respondent herein



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quash the same and consequently forbear the respondents from in anyway interfering with the petitioner's management of A/m.Brammalingeswarar and Venugopalaswamy temples are situated in Kokkarayanpettai Village, Komarapalayam Taluk, Namakkal District.

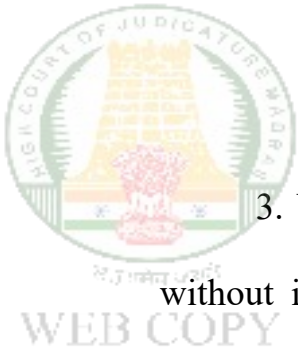
For Petitioner : Ms.A.Kalaiselvi
for Mr.V.P.K.Gowtham
For Respondents : Mr.K.Karthikeyan
GA (HR & CE)
for R.1
No appearance for R.2

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ORDER

The present Writ Petition has been filed challenging the order passed by the 1st respondent dated 07.01.2022 appointing the 2nd respondent as the Fit Person for Arulmighu Brammalingeswarar and Venugopalaswamy Temples, situated at Kokkarayanpettai Village, Komarapalayam Taluk, Namakkal District.

2. It is stated that the petitioner is the Managing Trustee / Thakkar of the temple. It is the case of the petitioner that he has been administering the temple as the de-facto Managing Trustee with the support of the villagers for several years.



3. While so, it is the grievance of the petitioner that the 1st respondent, without issuing any prior notice to the petitioner and without affording any opportunity of hearing, passed the impugned order dated 07.01.2022 appointing the 2nd respondent as the Fit Person for the said temples. Subsequently, the 2nd respondent also communicated the said appointment to the petitioner on 05.05.2022. Challenging the same on the ground that the impugned action was taken in violation of the principles of natural justice, the present Writ Petition has been filed.

4. Learned counsel for the petitioner submitted that the petitioner is the Managing Trustee / Thakkar of Arulmigu Mariamman Thirukoil and has also been administering the temples in question as the de-facto administrator appointed by the villagers. He further submitted that without issuing any notice to the petitioner and without conducting any enquiry, the 1st respondent had abruptly appointed the 2nd respondent as Fit Person for the temples, which is arbitrary and in gross violation of principles of natural justice.

5. Learned counsel further submitted that during the pendency of the present Writ Petition, the respondents have framed a scheme for the administration of the temples and have called for applications for appointment of Non-Hereditary Trustees for the temples. In view of the subsequent development, the learned counsel submitted that the petitioner may be permitted



to work out his remedy in the manner known to law, including by participating in the process initiated pursuant to the scheme.

6. Per contra, learned counsel appearing for the respondents submitted that the appointment of the Fit Person was made in accordance with the provisions governing the administration of temples. He further submitted that a scheme has now been framed for the temples and steps have been initiated for appointment of Non-Hereditary Trustees. In support of his contention, he has placed a proceedings dated 02.03.2026 before this Court. Therefore, the Fit Person will continue only as an interim arrangement till such appointment is made. Therefore, he prayed that this Court may issue appropriate directions in the above regard.

7. Heard the submissions made by learned counsel on either side and perused the materials placed on record.

8. It is not in dispute that during the pendency of the present Writ Petition, a scheme has been framed for the administration of the temples and applications have been invited for appointment of Non-Hereditary Trustees. In view of the said subsequent development, the grievance raised by the petitioner regarding the appointment of the Fit Person does not survive for further adjudication in this Writ Petition.



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9. However, considering the submission made by the learned counsel for the petitioner, the petitioner is at liberty to work out his remedy in the manner known to law, including by participating in the process initiated pursuant to the scheme for appointment of Non-Hereditary Trustees.

10. In the meantime, the 2nd respondent is directed to take charge of the temple administration. However, such taking over of charge shall only be subject to the appointment of the Non-Hereditary Trustees in terms of the scheme framed by the competent authority.

11. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

09.03.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2



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M. DHANDAPANI, J.

vsi2

To

1. The Assistant Commissioner
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2. The Fit Person
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