



WEB COPY

W.A.No.2155 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.2155 of 2022
and
C.M.P.No.16075 of 2022

Om Shri Ananda Sai Ram Dhiyana Koodam,
Rep. by its Trustees M.Chokkalingachetty,
No.75/2, Perumal Chetty Street,
Tiruvallur – 602 001.

...Appellant

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam, Madras – 600 034.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Thiruvallur, Thiruvallur District.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying
to set aside the order dated 05.08.2022 passed in W.P.No.41014 of 2016.

For Appellant : Mr.N.Santhosh

for Mrs.V.Srimathi

For Respondents : Mr.S.Ravichandran,

Addl. Govt. Pleader



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J U D G M E N T

WEB COPY (Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

Under assail is the writ order dated 03.08.2022 made in W.P.No.41014 of 2016.

2. The writ petitioner is the appellant in the present intra-Court Appeal. Order of the Assistant Commissioner, HR & CE Department dated 23.11.2015, appointing a fit person under Section 49 of the Hindu Religious and Charitable Endowments Act [herein after referred to as “HR & CE Act”] came to be challenged by way of Writ proceedings.

3. The Writ Court elaborately considered the facts and circumstances and made a finding that the appellant is collecting donations from the public and therefore, Temple assumes the character of public religious Institution. Thus, by invoking the provisions of the HR & CE Act, a fit person was appointed to monitor the administration. That apart, an Appeal Suit was instituted against the judgment and decree dated 25.09.1996 in O.S.No.160 of 1990 and the issues raised in the Writ Petition were also decided by the Civil Court in A.S.No.449 of 1998 vide order dated 22.04.2008 in the case of ***Mothi V.Arumugam Vs. Commissioner, HR&CE.***



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4. When the issues relating to the rights of the appellant has been decided by the Civil Court and the writ Court also considered the judgment and decree of the Civil Court dated 22.04.2008 in A.S.No.449 of 1998, there is no other reason to re-consider the issues and it would be sufficient if it is established that the temple assumes the character of a public Institution.

5. In the present case, the offerings are made by the public. Therefore, the State is empowered to appoint a fit person under the provisions of the Tamil Nadu HR & CE Act. Thus, this Court finds no infirmity in respect of the writ order and therefore, the Writ Appeal stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.K., J.)
06.02.2026

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

To

1.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam, Madras – 600 034.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Thiruvallur, Thiruvallur District.

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S.M.SUBRAMANIAM, J.
and
C.KUMARAPPAN, J.

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