



WEB COPY



W.P.No.25662 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 25662 of 2024
and
W.M.P. No. 28033 of 2024

A/M Ilamaiaakkinar Thirukoil,
Ilamaiaakkinar Koil Street,
Chidambaram – 608001,
Chidambaram Taluk, Cuddalore District.
By Its Hereditary Trustee
PRMP Palaniappa Chettiar,
S/o.Subramanian Chettiar,
No.2, Peria Kaajiyar Street,
Chidambaram – 608001, Chidambaram Taluk,
Cuddalore District.

...Petitioner

Vs.

1.The Secretary,
Hindu Religious & Charitable Endowment Department,
Government Of Tamil Nadu,
Fort St.George, Chennai.

2.The Commissioner,
Hindu Religious & Charitable Endowment Department,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai - 600034.

3.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Riverside Street, Cuddalore - 607001.



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4.The Assistant Commissioner,
Hindu Religious & Charitable Endowment Department,
Cuddalore – 607001.

5.The Inspector,
Hindu Religious & Charitable Endowment Department,
Chidambaram Region, Thillaikaliyamman Koil Campus,
Chidambaram - 608001

...Respondents

PRAYER: To call for the records and quash the serial no.135 Temple No.20703 pertaining to A/M Ilamaiaakkinar Thirukoil from the list of temples maintained by the respondents and consequently the proceedings of the 3rd respondent in Na.Ka.No.7185/2024/Aa1 dated 31.07.2024 and forbearing the respondents from interfering with the management and affairs of the petitioner -temple being managed by hereditary trustee.

For Petitioner : Mr.D.Baskar.

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

O R D E R

This writ petition has been filed to call for the records and quash the serial no.135 Temple No.20703 pertaining to A/M Ilamaiaakkinar Thirukoil from the list of temples maintained by the respondents and consequently the proceedings of the 3rd respondent in Na.Ka.No.7185/2024/Aa1 dated 31.07.2024 and forbearing the respondents from interfering with the management and affairs of the petitioner -temple being managed by hereditary trustee.

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2.The facts of the case in brief is that the temple is a private and excepted temple owned and administered by the petitioner's family for more than 200 years under the hereditary trusteeship and the petitioner was the hereditary trustee for the temple. However, the name of the petitioner temple has been listed in serial no.135 Temple No.20703 in the list of temples maintained by the respondents and the third respondent vide proceedings in Na.Ka.No.7185/2024/Aa1 dated 31.07.2024 has issued a show cause notice to the petitioner calling for the explanation regarding the misappropriation of temple funds by constructing a shopping complex and was getting rent without following the due procedures as per law and to prove the hereditary trusteeship with requisite documents. Aggrieved by the said proceedings, the petitioner has filed the present writ petition.

3.The learned counsel for the petitioner submits that the temple was owned by the petitioner's family for several decades and as on date, the management of the temple is with the petitioner's family and the petitioner's ancestors have purchased the properties individually and there was no endowment and the rental income out of the properties, were utilised to maintain the temple and the Chidambaram Municipality has wrongly entered the TSLR as if they are government lands and it is submitted that the properties are all assessed to property



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tax and the municipality is collecting tax and listed the name of the temple without following the procedures contemplated under Section 46(1) of the Hindu Religious & Charitable Endowments Act. It is further submitted that since the petitioner has not accepted money under 'oru kaala pooja' scheme, in order to grab the temple from the petitioner, the impugned proceedings have been issued and sought for allowing the petition.

4.The learned Special Government Pleader (HR & CE) appearing for the respondents, on the other hand, submitted that the temple was a listed temple and the hereditary trustee was appointed by the HR & CE department in terms of 1927 Act by the Board and there was no document on the side of the petitioner to prove that the temple was under the hereditary trusteeship of the petitioner's family and the petitioner has misappropriated the funds of the temple by constructing a shop inside the temple without seeking permission by damaging the walls of the temple and has been collecting unfair rents without fixing the rent as per law and sought for dismissing the petition.

5.Heard both sides and perused the materials available on record.



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6.It is seen that the impugned proceedings is a show cause notice issued by the third respondent to the petitioner calling for an explanation and the show cause notice cannot be challenged at the threshold. The petitioner can canvass his grievance before the authorities by submitting his explanation and hence, this Court is not inclined to entertain this petition at this stage.

7.Accordingly, this writ petition is dismissed with the liberty to the petitioner to submit his explanation before the third respondent and the third respondent, shall provide sufficient opportunity to the petitioner and shall pass orders within a period of twelve weeks from the date of receipt of explanation of the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

11-03-2026

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

To

1.The Secretary,
Hindu Religious & Charitable Endowment Department,
Government Of Tamil Nadu,
Fort St.George, Chennai.

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M.DHANDAPANI, J

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