



WEB COPY

WP No. 30166 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29-04-2026**

CORAM

**THE HON'BLE MR JUSTICE M.DHANDAPANI**

**WP No. 30166 of 2022 and  
WMP.No.29600 of 2022**

Sri Venkatesa Perumal Temple  
Arakkattalai, No. 76, Radha avenue main road,  
Valasaravakkam, Chennai 87 ,  
Rep. by its Present President, G.Rajendran,  
President of above Arakkattalai Residing at No. 16,  
Anbu Nagar, Valasaravakkam, Chennai 87

..Petitioner

Vs

1. The Commissioner  
Hindu Religious and Charitable Endowment,  
(Admn) Department, Having office at  
Nungambakkam High Road,  
Chennai- 600 034.
2. The Joint Commissioner,  
Hindu Religious and Charitable Endowment,  
(Admn) Department, Having office at  
Nungambakkam High Road,  
Chenna- 600 034.
3. The Assistant Commissioner,  
Hindu Religious and Charitable Endowment,  
(Admn) Department, Having office at  
Nungambakkam High Road,  
Chennai- 600 034.
4. The Fit Person/ Executive Officer  
Arulmighu Sakthi Vinayagar Temple,  
K.K. Nagar, Chennai- 78

..Respondents



Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari calling for all the records pertaining to the passing of the order dated 1.11.2022 on the file of the 4th respondent and quash the same.

For Petitioner: Mr.C.T.Udayappan

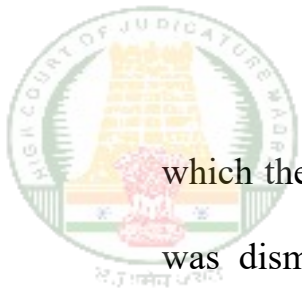
For Respondent(s): Mr.N.R.R. Arun Natarajan  
Special Government Pleader

### **ORDER**

This Writ Petition has been filed challenging the order of the 4<sup>th</sup> respondent dated 01.11.2022 and to quash the same.

2. The facts of the petitioner in nutshell are as follows:

The petitioner states that he is the president of Sri Venkatesa Perumal Temple and the Petitioner's temple filed an application under Section 63a of the Act 22 of 1959 in O.A.No.10 of 2008 on the file of the 2<sup>nd</sup> respondent and the same was dismissed on 31.12.2012. Aggrieved by the same, the petitioner filed an Appeal under Section 69(1) of the Act in A.P.No.13 of 2012, on the file of the 1<sup>st</sup> respondent and the same was rejected vide order dated 05.07.2013. Challenging the said order, the Petitioner filed a suit in O.S.No.3894 of 2013, on the file of the XI Assistant Judge, City Civil Court, Chennai under Section 70(1) of the Act. At that stage, , the 3<sup>rd</sup> respondent vide order dated 17.07.2013. appointed the 4<sup>th</sup> respondent as a fit person for private temple, challenging



which the petitioner filed Writ Petition in W.P.No.21731 of 2013 and the same was dismissed for default on 31.01.2020 and thereafter the petitioner filed application to restore the said Writ Petition and the same is pending. While so, the 4<sup>th</sup> respondent issued a impugned notice dated 01.11.2022, calling upon the petitioner to handover the administration to them. Challenging which, the present Writ Petition has been filed.

2.1. The learned counsel appearing for the petitioner would submit that the suit filed by the petitioner in O.S.No.3894 of 2013 was dismissed on 22.07.2013, as against which, the petitioner preferred an Appeal in A.S.No.541 of 2015 before this Court, which was dismissed for non-prosecution on 24.01.2022 and thereafter the petitioner filed a restoration application in C.M.P No.1443 of 2022 and the same is pending. However, at this stage of hearing of this Writ Petition, the learned counsel for the petitioner would submit that the petitioner may be permitted to handover the charges to the fit person subject to the outcome of the Appeal Proceedings initiated by the petitioner, for which the learned Special Government Pleader appearing for the respondents has no serious objection.

3. In view of the same, this Writ Petition is dismissed by directing the petitioner to handover the charges to the fit person, within a period of two weeks from the date of receipt of a copy of this order and the handing over of



the charges to the fit person, is subject to the out come of the Appeal proceedings initiated by the petitioner. If the petitioner succeeds in the Appeal Suit, liberty is granted to him to make an application to restore his status. No costs. Consequently, connected Miscellaneous Petition is closed.

**29-04-2026**  
**(1/2)**

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

1. The Commissioner  
Hindu Religious and Charitable Endowment, (Admn) Department, Having  
office at Nungambakkam High Road, Chennai- 600 034.
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Hindu Religious and Charitable Endowment, (Admn) Department, Having  
office at Nungambakkam High Road, Chennai- 600 034.
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**M.DHANDAPANI, J.**

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