



W.P.(MD)No.1352 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.1352 of 2026
& W.M.P(MD)No.1074 of 2026

Subbaiah Dharmanidhi Trust
Rep. by its Administrative Trustee
120/2, Perumalpuram Road
S.V.G.Hr.School, Thoothukudi Taluk
Thoothukudi District.

... Petitioner

Vs.

1. The Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai - 600 034.

2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Thoothukudi.

3. The Asst. Commissioner (Addl. In-Charge)
Hindu Religious and Charitable Endowments Department
Thoothukudi.

4. The Fit Person
Arulmigu Sankara Rameswarar Thirukovil
Thoothukudi.

... Respondents



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Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 not to vacate and direct the petitioner to hand over the accounts and other materials from Subbaiah Dharmanidhi Trust, Rep. by its Administrative Trustee, 120/2, Perumalpuram Road, S.V.G.Hr.School, Thoothukudi Taluk, Thoothukudi District as there is revision petition pending before the 2nd respondent.

For Petitioner : Mr.K. Sankararaman

For Respondent : Mr.K.Balasubramani, SGP

ORDER

This writ petition has been filed to direct the respondents 1 to 4 not to vacate and direct the petitioner to hand over the accounts and other materials from Subbaiah Dharmanidhi Trust.

2. Mr.K.Balasubramani, learned Special Government Pleader, takes notice on behalf of the respondent.

3. By consent of the parties, the main petition is taken up for disposal at the stage of admission itself.



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4. The learned counsel for the petitioner would submit that the petitioner-Trust has been running since 1934. However, due to some rivalry, a third party had filed an application for appointment of a fit person. Subsequently, the 4th respondent was appointed as a fit person. Under these circumstances, the 3rd respondent, vide order dated 02.01.2026, directed the petitioner to vacate the premises and hand over the key, account books and all the other relevant materials to the 4th respondent. Aggrieved over the same, the petitioner had filed a revision petition dated 14.01.2026.

5. Now, he would request this Court to direct the respondents 1 to 4 not to insist the petitioner either to vacate the premises or to hand over the account books and other materials of Subbaiah Dharmanidhi Trust. Hence, this writ petition.

6. In reply, the learned Special Government Pleader appearing for the respondents would submit that the revision petition filed by the petitioner will be disposed of within a period of 12 weeks. Hence, he requests this Court to pass appropriate orders.



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7. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent and also perused the entire materials available on record.

8. In the case on hand, initially, the 3rd respondent, vide order dated 02.01.2026, directed the petitioner to vacate the premises and hand over the key, account books and all the other relevant materials to the 4th respondent. Aggrieved over the same, the petitioner had filed a revision petition dated 14.01.2026. Now, he had approached this Court seeking for a direction to the respondents 1 to 4 not to insist the petitioner either to vacate the premises or to hand over the account books and other materials of Subbaiah Dharmanidhi Trust.

9. Today, it was submitted by the Special Government Pleader that the revision petition filed by the petitioner will be disposed of within a period stipulated by this Court.



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10. Considering the above submissions, this Court passes the following order:

i) The respondents 1 to 4 is directed to dispose of the revision petition filed by the petitioner, on merits and in accordance with law, within a period of 6 months from the date of receipt of a copy of this order.

ii) Until the disposal of the said revision petition, the respondents 1 to 4 are directed not to insist the petitioner either to vacate the premises or to hand over the account books and other materials of Subbaiah Dharmanidhi Trust.

iii) The petitioner is directed to maintain separate Account book for the period from the date of this order till the disposal of revision petition and the same shall be handed over to the concerned person, subject to the outcome of aforesaid revision petition.

11. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.

21.01.2026

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



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