



W.P.(MD)No.3646 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2026**

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.3646 of 2026 &
W.M.P(MD)No.2961 of 2026

Asai Alangaram

...Petitioner

vs.

1.The Assistant Commissioner,
H.R. & C.E. Department,
Dindigul District.

2.The Executive Officer,
Arulmighu Srinivasa Perumal Thirukoil,
Malayadivaram, Dindigul West Taluk,
Dindigul District.

3.U.Dinesh Kumar

4.M.Velmurugan

5.V.Sarabose Mannan

6.P.Muthupalani

7.S.Muthusamy

...Respondents

(Respondents 3 to 7 are impleaded vide order of this Court dated 16.02.2026 in W.M.P.(MD)Nos.3599 & 3600 of 2026)

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the impugned order in Se.Mu.Na.Ka.No.5289/2025/Aa4 dated 24.12.2025 on the file of the 1st respondent and quash the same.



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For Petitioner : Mr.G.Prabhu Raja Durai
for Mr.Jaswanth Ram

For Respondents : Mr.J.K.Jayaselan,
Government Advocate for R1 & R2

Mr.V.Meenakshi Sundaram
for Mr.M.Suresh for R4 to R7

Mr.A.N.Ramanathan for R3

ORDER

This Writ Petition has been filed challenging the impugned order of the first respondent in Se.Mu.Na.Ka.No.5289/2025/Aa4, dated 24.12.2025.

2. The learned counsel appearing for the petitioner would submit that, in the present case, enquiry was conducted by the first respondent and in the enquiry, statements of various persons have been recorded. In the conclusion of the enquiry, the first respondent decided to bring the subject temple under the control of the HR & CE Department. While so, all of a sudden, in terms of Section 49(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, the impugned order came to be passed without issuing notice to the persons who were incharge of the temple for a long period of time. According to the learned counsel, before passing final orders, the first respondent ought to have issued notice to the petitioner. Merely conducting enquiry and based on the statements given by various



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persons, appointing a fit person, is not in accordance with law. It is clear violation of principles of natural justice. Hence, the present petition.

3. The learned Government Advocate appearing for the respondents 1 and 2 would submit that this Court vide order dated 27.06.2025 in W.P. (MD)No.17441 of 2025 passed an order directing the Commissioner, HR & CE Department to pass appropriate orders based on the enquiry report dated 29.05.2025. Therefore, the Authorities based on the enquiry report wherein illegalities were found in the temple, appointed a fit person. Hence, prayed for dismissal of this Writ Petition.

4. I have given due consideration to the submissions made on either sides.

5. In the present case, fit person was appointed to the subject temple by the first respondent by virtue of the impugned order. This Court vide order dated 27.06.2025 in W.P.(MD)No.17441 of 2025 directed the Commissioner, HR & CE Department to pass orders based on the enquiry report dated 29.05.2025, after hearing all the persons who are likely to be impacted by the steps to be taken. Such being the case, before proceeding to pass orders to appoint a fit person, certainly, the petitioner / trustee who is



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presently managing the temple is to be put on notice and he ought to be furnished with the enquiry report. However, that was not done so and the petitioner was not provided with an opportunity to file a reply or explain his heir stand. This is in violation of principles of natural justice. Hence, the impugned order is not sustainable.

6. At this juncture, the learned Government Advocate appearing for the respondents 1 and 2 submitted that the Authorities have displayed a message in the concerned Village Administrative Office about the subject proceedings.

7. It is unfortunate that such a submission is made. When an independent person is affected, if message is displayed in Village Administrative Office, it is not possible for the person to know about the same. Therefore, in the present case, it is clear that behind the back of the petitioner, the first respondent has passed the impugned order. Thus, the impugned order is set aside.

8. In view of the above, this Court directs the petitioner to consider the impugned order as show cause notice and accord reply to the same within a period of six (6) weeks from the date of receipt of a copy of this order and



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thereafter, the first respondent is directed to decide the matter in accordance with law. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

16.02.2026
(3/3)

Speaking / Non-speaking order
Index : Yes/No
NCC : Yes/No

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To

1.The Assistant Commissioner,
H.R. & C.E. Department,
Dindigul District.

2.The Executive Officer,
Arulmighu Srinivasa Perumal Thirukoil,
Malayadivaram, Dindigul West Taluk,
Dindigul District.



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KRISHNAN RAMASAMY, J.

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