



W.P.(MD)No.3873 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.02.2026

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.3873 to 3876 of 2026
and WMP(MD) Nos.3169, 3173, 3171 & 3176 of 2026

M.Muthupandi	... Petitioner in WP(MD) No.3873
V.Rajendra Kumar	... Petitioner in WP(MD) No.3874
P.Sridhar	... Petitioner in WP(MD) No.3875
Parthasarathy	... Petitioner in WP(MD) No.3876

Vs

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar, Madurai.

2. The Inspector,,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar,
Madurai..

... Respondents in all WPs.

COMMON PRAYER :- Writ Petitions, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent dated 3/2/2026, Quash the same, as the same is arbitrary, ultravires, contrary to sec.54,



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14(4) sec.110 of Tamilnadu Hindu Religious and Charitable Endowments Act 22/1959 and Holding of Inquiries rules and consequentially direct the 1st respondent to conduct an enquiry on the basis of the application made by petitioner under sec. 54(1) of Act 22/1959 in respect of Arulmighu Villayuthamudaya Ayyanar Temple, Kochadai, Madurai West Taluk, Madurai District.

For Petitioner :Mr.R.G.Shankar Ganesh

For Respondent :Mr.K.Balasubramani
Spl. Government Pleader

COMMON ORDER

These writ petition have been filed challenging the impugned notice of the 2nd respondent dated 03.02.2026 with regard to the conduct of the enquiry.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the official respondents. By consent of both sides, the writ petition themselves are taken up for final disposal at the stage of admission itself.

3. According to the petitioners, their fathers were the Hereditary Trustees of the subject temple and after their demise, the petitioners have made an application to the first respondent under Section 54(1) of the



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HR&CE Act for appointing them as Hereditary Trustees. However, the first respondent referred the matter to the 2nd respondent for conduct of enquiry, which is against the provision of holding of enquiry rules and against the provision under Section 54(1) of the said Act.

4. The learned Special Government Pleader by referring to the order passed by this Court would however submit that by virtue of the provisions of holding of enquiry Rules, the Joint Commissioner or the Assistant Commissioner is empowered to hold enquiry. However, in the present case, application was made to the first respondent, however, the first respondent, without conducting enquiry has relegated the power to the 2nd respondent and hence, he fairly submits that the impugned notices may be set aside and the matters may be remanded back to the respondents for considering afresh.

5. I have considered the rival submissions and perused the materials available on record.

6. In the present case, as rightly contended by both sides, as per the Holding of Enquiry Rules, the Joint Commissioner and the Assistant Commissioner are empowered to hold the enquiry. However, the 1st



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respondent has directed the 2nd respondent to conduct enquiry, which is against the provision of Section 54(1) as well as holding of enquiry rules. Therefore, the notices dated 03.02.2026 were issued without any authority and hence, they are liable to be interfered with.

7. Accordingly, the writ petitions are allowed and the impugned notices dated 03.02.2026 shall stand quashed. The first respondent is directed to conduct enquiry based on the applications of the petitioners and pass orders thereon on merits and in accordance with law. Consequently connected Miscellaneous Petitions are closed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

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NCC :Yes/No
Index :Yes/No
RR

To

1. The Joint Commissioner,
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Ellis Nagar, Madurai.

2. The Inspector,,
Hindu Religious and Charitable Endowment Department,
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KRISHNAN RAMASAMY, J.

RR

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