



W.P.(MD).No.7526 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.7526 of 2026

G.Sundaramoorthy

... Petitioner

Vs.

1. The Commissioner,
O/o. Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai District.

2. The Joint Commissioner,
O/o. Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to appoint a Fit Person u/S.49 of Hindu Religious and Charitable Endowments Act, 1959 or to assume direct management of the temple and to restore the lands belonging to the temple in Survey Nos.160/2A, 161/1, 229/3, 230/1, 238/4, 238/7, 239/8, 239/9, 240/1, 240/3, 240/5, 195/7B, 195/8A, 195/9C, 198/2A, 198/2B, 216/2, 217/3, 219/1A1, 219/1A2, 219/1A3, 220/4 and 267/1 bearing patta Nos.28, 220, 740, 478 and 1129, U/s. 78 and 79 of the Act by considering petitioners representation dated 15.10.2025, on merits within stipulated time period



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fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.M.S.Sheik Abdullah
For R1 and R2 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The writ petition is filed for a mandamus directing the respondents to appoint a 'Fit Person' with reference to Arulmigu Arumugaswamy Temple, Vadakkunatham, Aruppukottai Taluk, Virudhunagar District.

2. The case of the petitioner is that the land in S.No.216/3A also belongs to the said temple. However, it has now been wrongfully mutated in the name of Senthil Kumar S/o Ramasamy Naicker, who is only taking care of the affairs of the temple. Therefore, the petitioner has made a representation to safeguard the temple premises and to appoint a 'Fit Person' for the administration of the temple.



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3. When the matter came up for hearing today, the learned Additional Government Pleader appearing for the respondents would submit that the temple is yet to be a listed temple, however, it is a public temple. The Assistant Commissioner, Virudhunagar District will enquire into the matter and pass appropriate orders.

4. This writ petition is disposed of at the admission stage itself without expressing any opinion on the merits of the matter and also taking into account that the persons in charge of the temple are not parties to this writ petition.

5. In view of the limited relief sought for in the writ petition, the writ petition is disposed of on the following terms:-

- i. The Assistant Commissioner, Virudhunagar District, shall take up the petitioner's representation dated 15.10.2025 for enquiry. Due notice shall be issued to the petitioner as well as to all persons interested in the temple and to any person in whose name the patta has been changed. After conducting the enquiry and hearing both sides, appropriate orders shall be passed.



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ii. It is needless to mention that the property is temple property. After hearing the parties, appropriate steps shall be taken with the authorities to re-mutate the records in favor of the temple and to place the temple under proper administration by appointing a fit person.

iii. No costs.

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Index: Yes
Speaking Order: Yes
Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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