



W.P.(MD) No.8827 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.8827 of 2026

A.Paranthaman

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious Endowment Board,
Uthamar Gandhi Salai,
Nungabakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious Endowment Board,
Ellis Nagar, Madurai - 625 001.

3.Jeyaraman,
The Fit Person,
Madhanagopal Swamy Temple,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first and second respondents to consider the representation of the petitioner dated 20.12.2025.

For Petitioner : Mr.V.Nagendran



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For R1 & R2 : Mr.M.Sarangam
Additional Government Pleader

For R3 : Mr.S.Manohar

ORDER

This Writ Petition is filed for a mandamus to consider the representation of the petitioner dated 20.12.2025 and pass such further orders.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the case of the petitioner is that the administration of the temple is governed by the Judgment and Decree passed in O.S.No.557 of 2000 on the file of the Subordinate Court, Madurai. Even though an appeal suit is still pending against the same, there is no interim order as on date. As per the decree, from the three clans, three hereditary trustees have to be appointed to administer the temple. The key was also handed over to the said hereditary trustees. The petitioner is the son of Pichai Pillai, who was one of the hereditary trustees. The said Pichai Pillai, who was originally recognised as one of the hereditary trustees, died on 20.02.2021. Thereafter, the petitioner was permitted to administer the temple and had also been carrying out



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transactions and the key was handed over to him. Subsequently, after the appointment of a fit person, the key has been taken away from him and even temple festivals are being conducted without reference to him. Therefore, the petitioner has made a representation to hand over the key back to him and permit him to discharge his duties as a hereditary trustee without any hindrance whatsoever.

3. The learned Additional Government Pleader, taking notice on behalf of the first and second respondents, would submit that it is true that there were three hereditary trustees appointed. Out of the three hereditary trustees, one, namely the petitioner's father, had died. The other two hereditary trustees indulged in maladministration. Therefore, they were suspended. Earlier, they had moved a Writ Petition and the same was withdrawn with liberty to file a revision. They have already filed such a revision and the same is pending before the Commissioner. A fit person has been appointed in the year 2024 and in view of the same, the administration is now being carried out by the fit person.

4. The learned counsel appearing for the third respondent, the fit person, would submit that the appointment of the fit person is not under



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challenge and that the fit person is in charge of the temple and is carrying out the day-to-day administration of the temple.

5. In reply thereto, the learned counsel for the petitioner would submit that he has already made a representation, including to the Commissioner, seeking recognition as a hereditary trustee. The learned counsel would submit that the office of the hereditary trustee automatically falls upon the petitioner and that it is not as if the appointment itself is made by the respondent but that it is only a recognition of an existing right. The learned counsel would also draw the attention of this Court to the earlier round of litigation, whereunder this Court directed the handing over of the keys to the petitioner's father.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. There can be no quarrel over the proposition that if the petitioner claims to be the hereditary trustee, the office falls upon him upon the death of the existing hereditary trustee and by the action of the respondents, they are only recognising the existing right. However, the



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learned Additional Government Pleader would rightly point out that a due enquiry has to be conducted by the second respondent upon an application made by the petitioner under Section 54 of the H.R. & C.E. Act, 1959, in order to ascertain whether the petitioner is the legal heir or whether there are any other rival claims and only thereafter recognition can be granted.

8. In this case, it can be seen that even a fit person was appointed in the year 2024. In view thereof, I am of the view that the relief can be granted to the petitioner on the following terms:

- i. Within a period of one week from the date of receipt of the web copy of the order, the petitioner shall make an application under Section 54 of the H.R. & C.E. Act, 1959 before the second respondent herein.
- ii. The second respondent shall conduct an enquiry on the said application by issuing notice to the petitioner and any other interested person and after hearing the fit person managing the temple, pass final orders thereon on or before 10.05.2026.
- iii. It is made clear that merely because the suspension proceedings are pending against the other trustees, the present application need not be deferred and shall be considered on its own merits.
- iv. Depending upon the order to be passed in the said application, further orders regarding handing over of charge and keys from



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the said fit person to the petitioner may be passed, based on the outcome of the recognition as hereditary trustee.

- v. The parties shall act on the web copy of the order without waiting for the certified copy of the order.

9. With the above direction, this Writ Petition stands disposed of.

No costs.

01.04.2026

JEN

Neutral Citation : No

To

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D.BHARATHA CHAKRAVARTHY, J.

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