



W.P(MD)No.9417 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.04.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.9417 of 2026**

M.Sundara Moorthy

... Petitioner

Vs.

1. The Commissioner,  
The Commissioner Office,  
HR and CE Department,  
Chennai.

2. The Joint Commissioner,  
Joint Commissioner Office,  
HR and CE Department,  
Madurai District.

3. The Executive Officer,  
Arulmigu Vishavanatha Swamy Thirukkivil,  
1/c, Special Officer,  
Arulmigu Senthatti Ayanar Thirukovil,  
Keelanmarainadu Village,  
Sivakasi Taluk,  
Virudhunagar 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 2nd Respondent herein to consider the petitioners representation dated 10.03.2026 and direct the respondents to appoint the petitioner as the poosari of the Arulmigu Sri Chenthetti Ayyanar Temple, situated at



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Kovilur village, Vembakottai taluk, Virudhunagar district and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

|                |                                                 |
|----------------|-------------------------------------------------|
| For Petitioner | :M/s.S.Mamtha                                   |
| For R1 and R2  | :Mr.M.Sarangan<br>Additional Government Pleader |
| For R3         | :Mr.P.Mahendran                                 |

### **ORDER**

The writ petition is filed for mandamus directing the 2<sup>nd</sup> respondent to consider the petitioner's representation dated 10.03.2026 and direct the respondents to appoint the petitioner as the Poosari of Arulmigu Sri Chenthetti Ayyanar Temple, situated at Kovilur village, Vembakottai taluk, Virudhunagar district.

2. Heard M/s.S.Mamtha, learned counsel appearing for the petitioner, Mr.M.Sarangan, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 and 2 and Mr.P.Mahendran, learned counsel, who takes notice for R3.



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3. Upon perusal of the representation dated 10.03.2026, it can be seen that the petitioner claims himself to be the hereditary poojari. It has already been held by the Constitution Bench of the Hon'ble Supreme Court of India in **Seshammal and Others etc. v. State of Tamil Nadu** (1972 2 SCC 11) that the office of poojariship cannot be claimed on a hereditary basis.

4. However, if the petitioner seeks relief on the basis of any existing custom, it will be open to him to approach the Joint Commissioner by way of an appropriate application under Section 63(e) of the HR & CE Act. As and when such an application is filed, the same shall be considered by the 2<sup>nd</sup> respondent and final orders shall be passed as expeditiously as possible, after issuing due notice to both the petitioner and other interested parties.

4. With the aforesaid liberty, the writ petition stands disposed of.  
No costs.

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Index: Yes  
Speaking Order: Yes  
Neutral Citation: No  
rgm



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WEB COPY

**D.BHARATHA CHAKRAVARTHY, J.**

rgm

To

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Chennai.
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Madurai District.
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