



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

CS No. 837 of 2018 AND

A NO. 3283 OF 2025,OA NO. 708 OF 2025,WMP NO. 25725 OF 2025,WMP NO. 25729 OF 2025,WP NO. 5293 OF 2017,WMP NO. 5666 OF 2017,A NO. 4951 OF 2017,OA NO. 709 OF 2025,OA NO. 710 OF 2025,OA NO. 711 OF 2025,A NO. 3289 OF 2025,A NO. 3290 OF 2025,A NO. 3291 OF 2025,OA NO. 712 OF 2025,WMP NO. 25726 OF 2025,A NO. 3284 OF 2025,A NO. 3286 OF 2025,A NO. 3287 OF 2025,WP NO. 22898 OF 2025,WMP NO. 25728 OF 2025

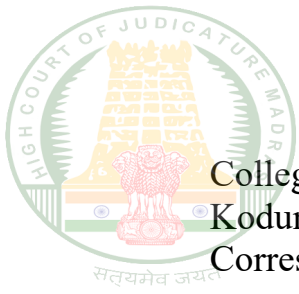
C.S.No. 837 of 2018

1. Kanthakotta Ayira Vysiya Beri Chettiar
Ssamooaga Munnetra Sangam
Registered Society,Old No.59 and 60,New No.94
and 92, Ground Floor(part), Rasappa Chetty
Street, Park Town, Chennai,Rep by its Joint
Secretary K. Sendilvellan,Old No.25, New
N0.14, Murali St, Mahalingapuram, Chennai.
2. P.S. Rudhrakumar
No.17,New No.39,Unnamalai Ammal St,T.
Nagar,Chennai 17.
3. A.B. Srinivasan
No.29B,Mettu Street,Ayanavaram,Chennai

..Plaintiff(s)

Vs

1. Sri Muthukunaraswamy Devasthanam Popularly
Known as Kanthakottam Temple
Rep by Executive Officer/Fit Person, Appointed
by HR and CE Department, Chennai
2. Sri Muthukumaraswamy Arts and Science



College

Kodungaiyur, Chennai-18, Rep by its
Correspondent.

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3. Sri Muthukumaraswamy Devasthanam
Sri Venugopal Chettiar Primary and Higher
Secondary
School, Purasaiwalkam, Chennai-112, Rep by its
Correspondent.
4. Sri Muthukumaraswamy Devasthanam Hindu
Primary and Higher Secondary School
Park Town, Chennai-3, Rep by its Correspondent.
5. Sri Muthukumaraswamy Devasthanam Hindu
Primary School
Park Town, Chennai-3, Rep by its Correspondent
6. Kannabiran Padmavathi Ammal Primary School
Oteri, Chennai-12, Rep by its Correspondent.
7. SMK Vidhyashram(CBSE)
Kodungaiyur, Chennai 18, Rep by its
Correspondant.
8. P.K. Krishnamurthy
No.11, Venkatesan Street, Purasaiwalkam, Chennai
9. P. Ekambaram
No.54, Kandappa Street, Pursaiwalkam, Chennai
10. R. Vivekananthan
No.62, First Floor, 11th Street, V Block, Anna
Nagar, Chennai
11. R. Lakshmanaswamy
No.62, Ground Floor, 11th Street, V Block, Anna
Nagar, Chennai
12. K. Elangovan
No.12, West Street, Sriram
Nagar, Alwarpet, Chennai
13. B. Arulmozhi
W/o. R. Vivekanandan, NO.62, First Floor, 11th
Street, V Block, Anna Nagar, Chennai



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14.P.E. Ramachandran

No.54,Kandappa Street,Purasaiwalkam,Chennai

15.Sree Muthukumaraswamy Educational Society

Rep by its President,No.212,Mint Street,Chennai

16.Commissioner Of Police

Greater Chennai, Vepery, Chennai - 07.

17.The Commissioner,

Hindu Religious and Charitable Endownments

Department, Nungambakkam, Chennai - 600 024.

(DEFENDANTS 16 AND 17 ARE SUO MOTU
IMPLEADED AS PER ORDER DATED

21.12.2023 IN CS. 837/18 AND A.NO. 6711

AND 6629/23 AND WP.5293/17, A.NO.

4951/17 AND WMP.5666/17)

18.P.Uvaraja Sundaram,

aged about 59 years, S/o.Balasundaram,

No.83 A, 2nd Main Road, VGP Part-2,

Palavakkam, Thiruvanmiyur,

Kancheepuram-600041

19.C.S.Parthsarathy

aged about 64 years, S/o.C.A.Sivaprakasam,

No.19, F-1, Padmasiva Paradise,

Chandrasekaran Avenue 4th, Thoraipakkam,

Oggiamthoraipakkam(post),

Sholinganallur(Sub-Dt), Chennai-600097

(Defendants 18 and 19 are impleaded as per
order dated 07/07/2025 in A.No.2844/2025)

..Defendant(s)

(etc batch)

For Plaintiff(s): M/S.T.M.Pappiah

For Defendant(s): Mr. N.R.R.Arun Natarajan,
Special Government Pleader for HR & CE
Mr.R.Bharanidharan for D1



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Ms.R.Anvitha
for Mr.V.Srimathi,
for D7,D11 and D12
Mr.R.Sinngaravelan, Senior Counsel
for M.Muruganantham
for R18 and R19
Ms.M.A.Sree Indumathi
for R28

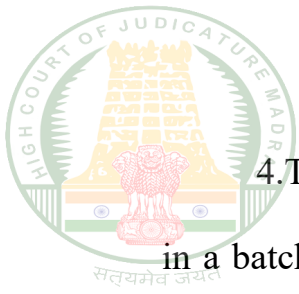
ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

Heard Mr.T.M.Pappiah, for the plaintiff, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for R18, Mr.R.Bharanidharan, for D1, Ms.R.Anvitha for D7, D11 and D12, Mr.R.Sinngaravelan, learned Senior Counsel for Mr.Muruganantham for R18 and R19 and Ms.M.A.Sree Indumathi for R28/Arulmighu Abhinava Dharma Sivachariyar Madam.

2. A detailed order had been passed in various applications in C.S.No.117 of 1907 and connected writ petitions on 22.03.2021 & 21.10.2021. The matter relates to the management of the Sri Muthukumarasamy Devasthanam Kandhakottam Temple (hereinafter referred to as 'temple') and Educational Institutions managed by the Devasthanam. The educational institutions number seven.

3.A Judge Commissioner had been appointed to oversee the functioning of the Devasthanam as well as the Educational Institution in the absence of a Board of Trustees.



4. The matter had travelled in appeal and the Division Bench of this Court in a batch of O.S.A.s, Writ Appeals and Review Applications, passed an order on 21.04.2025 noting that the parties were consensus ad idem that five non-hereditary trustees may be appointed for the management of the temple from among the Beri Chetty community.

5. Government Order in G.O.(Ms). No.182 dated 10.04.2025 identifying and appointing (i) K.Senthil Velan, (ii) V.C.Kandaswamy, (iii) K.Nanda Kumar, (iv) A.P. Ashok Kumar and (v) A.N. Suresh Kumar, as Trustees has been issued.

6. In light of the fact that the aforesaid five individuals have been named and appointed as trustees, their removal can only be in accordance with the bye-laws of the Society, and the relevant Rules.

7. On account of dissension amongst the five committee members, three trustees, (i) Nandakumar, (ii) A.P. Ashok Kumar and (iii) A.N. Suresh Kumar have unilaterally removed K.Senthil Velan and V.C.Kandaswamy, from their position, as trustees which is contrary to law. No proper procedure has been followed, and such unilateral action flies in the face of Government Order dated 10.04.2025 and order of the Division Bench dated 21.04.2025 and amounts, prima facie to contempt of the latter.



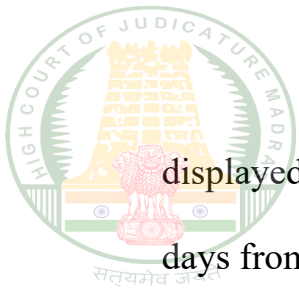
8.K.Senthil Velan and V.C.Kandaswamy stand restored to the Board as members of the Board of Trustees, forthwith. Any unilateral, illegal act to interfere with the harmonious functioning of the Board of Trustees constituted under G.O.(Ms). No.182 dated 10.04.2025 for the remaining tenure of the Board, shall be viewed seriously by the Court.

9.Bye-laws of the Devasthanam dated 31.05.1979 provide for a Governing Body of ten members, five being the non-hereditary trustees named as per the G.O., and the remaining five to be co-opted periodically. Despite discussions in the course of the earlier hearings as to who amongst the members may be co-opted, the parties are unable to arrive at a consensus.

10.As per the bye-laws, the criteria for co-option is that (i)the co-opted members shall belong to the Beri Chetty Community and (ii)they shall be followers of the philosophy of Abhinava Dharma Sivachariyar Madam (hereinafter referred to as 'Math').

11.Ms. Sree Indumathi, who appears for the Math was asked to produce an updated list of members and has filed a compilation containing 2960 names as on date, that is 19.01.2026.

12.The members of the Math shall convene at the premises of the Math on 14.02.2026 to carry out the process of co-option. Notice of the meeting shall be published in an English as well as regional language newspaper and shall be



displayed with Agenda on the Devasthanam Bulletin Board within three (3) days from date of receipt of this order.

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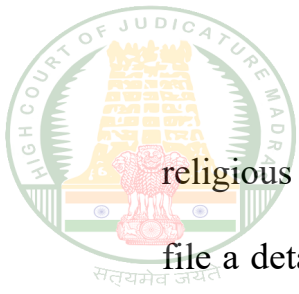
13. The Hon'ble Mrs. Justice (Retd) Chitra Venkataraman is requested to preside over, and conduct the meeting. The meeting shall commence at 10.00 a.m. If it appears to the Hon'ble Judge that co-option cannot be achieved unanimously either in full or in part, by 12.00 Noon, there shall be election of the five members by ballot box.

14. Members who secure the five (5) highest number of votes shall be co-opted to the Board and the list of co-opted members shall be both uploaded on the website of the Devasthanam and displayed on their Notice Board by end of day, 14.02.2026.

15. The Hon'ble Judge shall be paid on honorarium of Rs.2,00,000/- (Rupees two lakhs only) and may have secretarial assistance of one person whose remuneration may be fixed by her.

16. A reading of Section 15 of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and Rule 12 of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974, mandate the presence of a School committee in each Educational Institution.

17. I was given to understand that the HR&CE Department has a Division to oversee and manage the functioning of educational institutions run by



religious institutions. The HR&CE Department was directed, on 28.08.2025 to file a detailed note on the role of that division by the next hearing. No note has been filed thus far. Hence the HR&CE Department is put to terms. The direction is reiterated to be complied with costs of Rs.50,000/- to the High Court Legal Services Committee, on or before 21.01.2026. Further orders in connection with constitution of the school committee shall be passed in the next hearing.

18. List on 17.02.2026.

19.01.2026

vs

Note: (i) Registry is directed to type the full cause title, if necessary, while issuing the order.

(ii) Order to be issued to Hon'ble Mrs.Justice (Retd) Chitra Venkataraman (Cell No: 9840990000) forthwith.



To

1. Sri Muthukunaraswamy Devasthanam Popularly Known as Kanthakottam Temple
Rep by Executive Officer/Fit Person, Appointed by HR and CE Department, Chennai
2. The Commissioner of Police
Greater Chennai, Vepery, Chennai - 07.
3. The Commissioner,
Hindu Religious and Charitable Endowments
Department, Nungambakkam, Chennai - 600 024.



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CS No. 837 of 2



DR.ANITA SUMANTH J.

VS

CS No. 837 of 2018 etc batch

19-01-2026