

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6631-6632/2010

THE COMM. HR. AND C.E. ADMN. DEPARTMENT

APPELLANT(S)

VERSUS

HINDU TEMPLE KAZHAGAM

RESPONDENT(S)

O R D E R

1. We have heard the learned counsel for the appellant. Despite service of notice, none appears on behalf of the respondent.
2. Learned counsel appearing for the appellant made only one submission that the issue for consideration is regarding a hereditary trustee *qua* a fluctuating body, and the same has already been held in favour of the appellant in the decision of this Court in "Commissioner, Hindu Religious and Charitable Endowments (Admn.) Madras & Anr. Vs. Vedantha Sthapna Sabha, reported in (2004) 6 SCC 497.
3. The High Court, on first appeal, was dealing with an earlier order passed by this Court. Though the subsequent development in (2004) 6 SCC 497 (*supra*) was brought to the notice of the High court in review, the same has not been considered.
4. Considering the above, we are constrained to set aside the judgments of the High Court by restoring the order dated

20.02.1989 of the Trial Court.

5. The appeals are allowed accordingly.

6. Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[JOYMALYA BAGCHI]

NEW DELHI;
6th AUGUST, 2025

ITEM NO.114

COURT NO.5

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6631-6632/2010

THE COMM.R. AND C.E. ADMN. DEPARTMENT

Appellant(s)

VERSUS

HINDU TEMPLE KAZHAGAM

Respondent(s)

Date : 06-08-2025 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Appellant(s) Ms. Misha Rohatgi, AOR
Mr. Amulya Upadhyay, Adv.
Ms. Sneha Menon, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

The appeals are allowed in terms of the signed order.
Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR

(Signed order is placed on the file)