



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2015

CORAM:

**THE HONOURABLE MR.JUSTICE B.RAJENDRAN**

Writ Petition (MD)No.14678 of 2014

1.S.Muthusamy  
2.S.Shanmugasundaram  
3.M.Vallinayagam ... Petitioners

Vs.

1.The Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Chennai 34.

2.The Joint Commissioner,  
HR & CE Department,  
Tirunelveli 2.

3.The Assistant Commissioner,  
HR & CE Department,  
Thoothukudi.

4.The Inspector,  
HR & CE Department,  
Eral,Thoothukudi District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to appoint the petitioners and two others as the non hereditary trustee of Arulmigu Maha Ganapathy alias Unmai Vinayagar Thiru Koil situated at Vazavallam Village, Srivaikundam Taluk, Thoothukudi District for proper administration for the temple affairs in accordance with the report submitted by the 4th respondent dated 30.07.2012.

For Petitioners : Mr.N.Dilipkumar

For Respondents : Mr.V.R.Shanmuganthan,  
Special Government Pleader

### O R D E R

The present writ petition has been filed to direct the respondents to appoint the petitioners and two others as non hereditary trustees of Arulmigu Maha Ganapathy alias Unmai Vinayagar Thirukoil situated at Vazavallam Village, Srivaikundam Taluk, Thoothukudi District for proper administration of the temple based on the report submitted by the fourth respondent dated 30.07.2012.



2.It is seen that an enquiry was conducted by the fourth respondent on 24.07.2012 and he has also submitted a report to the third respondent on 30.07.2012 wherein he had suggested the petitioners and two other persons to be appointed as new trustees of the temple. Therefore, the petitioners have approached the respondents by way of their representation dated 16.08.2014 for appointing them as non hereditary trustees of the said temple. Since no orders have been passed so far, the present writ petition has been filed for the aforementioned relief.

3.Considering the limited prayer sought for and without expressing any view on the merits and contentions raised by the petitioners, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioners dated 16.08.2014 based on the report of the fourth respondent dated 30.07.2012 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible. No costs.

Sd/-  
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Chennai 34.

2.The Joint Commissioner,  
HR & CE Department,  
Tirunelveli 2.

3.The Assistant Commissioner,  
HR & CE Department,  
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+1 CC to Mr.N.Dilip Kumar, Advocate (SR.No.5440)

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