



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2015

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WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.7248 of 2013

M.Natarajan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Secretary,
Hindu Religious and Charitable Endowment Department,
Fort St. George, Chennai- 600 009.
 - 2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam High Court, Chennai 600 034.
 - 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Pattamangala Street, Myladuthurai.
 - 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Kumbakonam.
- ... Respondents

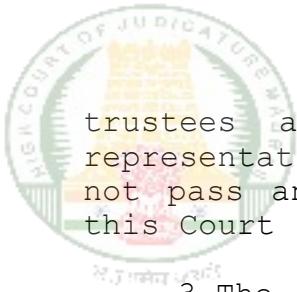
Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to take suitable immediate steps to secure the dedicated properties to the trust as per the trust deed, dated 05.05.1947 executed by late Jegathambal Ammal, Kumbakonam and to perform the religious charities mentioned in the trust deed.

For Petitioner : Mr.P.Thiagarajan
For Respondents : Mr.R.Velmurugan
Government Advocate

ORDER

The petitioner has come up with this writ petition to direct the respondents to take suitable immediate steps to secure the dedicated properties to the trust as per the trust deed, dated 05.05.1947 executed by late Jegathambal Ammal, Kumbakonam and to perform the religious charities mentioned in the trust deed.

2.According to the petitioner, he is the relative of deceased Jegathambal Ammal, wife of Maamu Sivalinga Paththar of Kumbakonam. The said Jegathambal created religious public trust by virtue of trust deed, dated 05.05.1947 and registered as document No.944/1947. She has created a specific endowment. As per the trust deed, certain specific charities in the temples situated in and around Kumbakonam area. The petitioner attended the charities in his early days. Now-a-days, there is no



trustees and now the charities are not performed. He has given representation to the respondents on 27.09.2012, but the respondent did not pass any order on the representation. Therefore, he has approached this Court for the relief sought for in the writ petition.

3.The petitioner is seeking a direction to recover the trust properties mentioned in the trust deeds and to perform the charities as per the trust deed. From the affidavit, it is seen that previously the then trustees were performed the charities. Now, there is no charities are performed.

4.Heard the learned counsel for the petitioner and the respondent.

5.In the circumstances, the petitioner is directed to give fresh representation to the respondents along with all the documents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents 2 and 3 are directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of 6 months thereafter, after conducting enquiry and giving opportunity to the petitioner.

6.In view of the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

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To

1.The Secretary,
Government of Tamil Nadu,
Hindu Religious and Charitable Endowment Department,
Fort St. George, Chennai- 600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam High Court, Chennai 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Pattamangala Street, Myladuthurai.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Kumbakonam.

+1CC to Mrs.N.Krishnaveni, ADV.SR.No.44642

+1CC to Spl.Government Pleader SR.No.45205

GJM-21.8.15-2P-7C

W.P. (MD) No.7248 of 2013

Dated: 07.08.2015