

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.36901 of 2016

S.Rangamannar

.. Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable,
Endowments (HR & CE)
Administration Department,
Villupuram,
Villupuram District

.. Respondents

For Petitioner : Mr.S.Gunaseelan
For Respondents : Mr.M.Maharaja
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. According to the petitioner, Sri Saneeswara Bhagawan Temple, Erikuppam Village was constructed by Nayaka King in the year 1535 (15th Century). The temple is situated in Survey No.1379/3 of 10 cents which belongs to the petitioner's father, namely, Sampath. The grievance of the petitioner is that the petitioner has requested the respondent to give hereditary trustee to the temple and also requested to conduct enquiry, since the same has not been considered, the petitioner has come up with this Writ Petition.

2. The learned Special Government Pleader appearing for the respondent would submit that as per law, the petitioner can only file a petition/ application under Section 63B of the HR & CE Act, if he wants a declaration, of course, after impleading all the necessary and proper parties and thereafter only the

respondent / Department can take necessary action including enquiry.

3. Heard the learned counsel on either side and perused the materials available on record.

4. Taking note of the submission made by the learned Special Government Pleader appearing for the respondents, this Writ Petition is dismissed since the present prayer, as such is not maintainable and the petitioner is directed to file an appropriate petition / application before the respondent if he is so advised. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd

To

The Joint Commissioner,
Hindu Religious and Charitable,
Endowments (HR & CE)
Administration Department,
Villupuram,
Villupuram District

+lcc to Mr.S. Gunasekaran, Advocate, S.R.No.59859
+lcc to the Government Pleader, S.R.No.60126

rj(CO)
md(30/12/2016)

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