



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10083 of 2016

WEB COPY

- 1.Oathaiyandi
- 2.Gnanderaprakash Amirthalingam
- 3.Ravindran
- 4.P.Aathimuthu
- 5.Paldurai Nadar
- 6.karthikeyan
- 7.Sivanathan
- 8.R.Sivapal
- 9.A.Anandhan
- 10.Varagunapandian
- 11.M.Raj

..Petitioners

Vs

- 1.The Secretary,
Tamil Development, Charitable Endowment,
And New (C.E.3-1) Department,
Fort St.George,
Chennai.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam, Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Board, Tirunelveli.
- 4.The Executive Officer,
Arulmighu Chidambareswarar Temple,
Chettiapathu, Tiruchendur Taluk,
Tuticorin District.
- 5.The Inspector,
Hindu Religious and Charitable Endowment Board,
Kulasekarapattinam, Tiruchendur,
Tuticorin District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the third respondent to take necessary steps on the basis of the Petitioner's representation dated 8.2.2016 to conduct election for appointment of five Non-Hereditary Trustees, one of them shall be a woman, from amongst the 30 Pangalis of Nadar Community for Arulmighu Chidambareswarar Thirukkoil, Sri Vinayakar



Kovil and Arulmighu Iyanthu Veethu Swamy Thirukkivil situated at Chettiapathu Village, Tiruchendur Taluk, Tuticorin District within the time stipulated by this Court.

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For Petitioners : M/s.K.Gokul
For Respondents : Mr.V.Muruganandam
1 to 3 and 5 Addl.Govt.Pleader
For Respondent-4 : Mr.G.Muthugeethaiyan

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.According to the Petitioners, this Court may pass necessary orders in directing the third respondent/The Joint Commissioner, Hindu Religious and Charitable Endowment Board, Tirunelveli District to take necessary steps on the basis of their representation, dated 8.2.2016 to conduct election for appointment of five Non-Hereditary Trustees, one of them shall be a woman, from amongst the 30 Pangalis of Nadar Community for Arulmighu Chidambareswarar Thirukkivil, Sri Vinayakar Kovil and Arulmighu Iyanthu Veethu Swamy Thirukkivil situated at Chettiapathu Village, Tiruchendur Taluk, Tuticorin District within the time fixed by this Court.

4.At this stage, it is brought to the notice of this Court on behalf of the respondents that O.A.No.2 of 2016(seeking to modify the age old scheme framed in the year 1999 in O.A.No.4 of 1999) is pending on the file of the third respondent/The Joint Commissioner, Hindu Religious charitable and Endowment Department, Tirunelveli District. Also, it comes to be known that on 3.6.2016, this Court in W.P.No.9820 of 2016 filed by one (N.C.Athinarayana Perumal .vs. The Joint Commissioner, Hindu Religious and Charitable Endowment Department, Tirunelveli District and another) to pass an order directing the first respondent/The Joint Commissioner, Hindu Religious and Charitable Endowment Department, Tirunelveli to look into the representation of the Petitioner, dated 18.5.2015 and to dispose of the same on merits etc within a period of six weeks from the date of receipt of a copy of this order.

5.In view of the fact that O.A.No.2 of 2016 is pending on the file of the third respondent/The Joint Commissioner, Hindu Religious Charitable and Endowment Department, Tirunelveli, this Court comes to the resultant conclusion that it is prudent for the Petitioners to make proper representation before the third respondent/The Joint Commissioner, Hindu Religious Charitable and Endowment Department, Tirunelveli District in regard to the election for appointment of five Non-Hereditary Trustees, one of them shall be a woman, from amongst the 30 Pangalis of Nadar Community for Arulmighu Chidambareswarar



Thirukkkoil, Sri Vinayakar Kovil and Arulmighu Iyanthu Veethu Swamy Thirukkivil situated at Chettiapathu Village, Tiruchendur Taluk, Tuticorin District(as stated in detail in the representation dated 8.2.2016) and to seek appropriate remedy in the manner known to law and in accordance with law.

6. Therefore this Court grants liberty to the Petitioners to make effective and efficacious representation before the third respondent/The Joint Commissioner, Hindu Religious Charitable and Endowment Department, Tirunelveli District in O.A.No.2 of 2016 which is pending before him, by means of filing necessary application/petition in terms of the ingredients of Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959 and to seek necessary relief thereto. Viewed in that perspective, without expressing any opinion on the merits of the representation, dated 8.2.2016, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Secretary,
Tamil Development, Charitable Endowment,
And New (C.E.3-1) Department, Fort St. George,
Chennai.
2. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam, Chennai.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Board, Tirunelveli.
4. The Executive Officer,
Arulmighu Chidambareswarar Temple,
Chettiapathu, Tiruchendur Taluk,
Tuticorin District.
5. The Inspector,
Hindu Religious and Charitable Endowment Board,
Kulasekarapattinam, Tiruchendur,
Tuticorin District.

+1cc to M/s.K.Gokul, Advocate in SR.29325
+1cc to M/s.M.Muthugeethayan, Advocate in SR.28891
+1cc to the Special Government Pleader, in SR.29068