

Application Nos.3087 & 3088 of 2016
in
C.S. No.1364 of 1995
R.SUBRAMANIAN., J.

These two applications have been filed by the Executive Officers of Arulmigu Thirukutralanthaswamy Temple, Tenkasi Taluk, Tirunelveli District and Sri Thirupuranteswar Thirukoil, Sivan Keezha Rathaveethi, Palayamkottai, Tirunelveli District, seeking to implead themselves in the present suit.

2.In the affidavit filed in support of the applications, it is alleged that the Kattalais which are in the nature of the specific endowments are to be performed in the Temples of which are administered by the Executive Officers of the Temples appointed under Section 45 of the Tamil Nadu Hindu Religious and Charitable Endowments Act.

3.From the issues framed in the suit, particularly, issue Nos.12, 13 and 14, it is clear that the very nature of the Endowments and Kattalais which are described as defendants Nos.7 to 22 is in dispute.

4.It is also admitted by the learned counsel appearing for the parties in the suit that the HR & CE Department had already issued proceedings, for appointing of a fit person to manage the said Kattalais and the same is also challenged in the Writ Petition before the Madurai Bench of this Court.

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5.In the light of the above, it is a fit case, where the applicants viz., the Executive Officers of the Temples are impleaded as party defendants to the present suit. Hence, these two applications are allowed.

6.The impleaded parties viz., the Executive Officer viz., Arulmigu Thirukutralanthaswamy Temple, Tenkasi, Thirunelveli District, as well as the Executive Officer of Sri Thirupuranteswar Thirukoil, Sivan Keezha Rathaveethi, Palayamkottai, Thirunelveli District are directed to file their written statements on or before 09.11.2017. There will be no *de novo* trial. Trial will continue from the stage, where it is at present.

7.Plaintiff will carry out the amendment before 31.10.2017 and file the amended plaint by 09.11.2017.

8.Registry is directed to list the matter on 13.11.2017 for framing of further issues, if necessary.

12.10.2017

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