

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 21.09.2017****CORAM:****THE HONOURABLE MR. JUSTICE R. MAHADEVAN****W.P (MD) No. 17230 of 2017**

kalimuthu

.. Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thiruchirappalli.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to expeditiously dispose the proceedings of the respondent in Na.Ka.No.1644/2012/Aa4, with regard to petitioner's application dated 13.07.2011 for hereditary trusteeship in Arulmigu Gurunathaswamy Pattathalatchiamman Temple, Manapparai Taluk, Thiruchirappalli within stipulated time fixed by this Court.

For Petitioner
For Respondent

: Mr.T.Antony Arul Raj
: Mr.M.Alagathevan,
Special Government Pleader

ORDER

This writ petition is filed seeking a writ of Mandamus, directing the respondent to expeditiously dispose the proceedings in Na.Ka.No.1644/2012/Aa4, with regard to the petitioner's application dated 13.07.2011, for hereditary trusteeship in Arulmigu Gurunathaswamy Pattathalatchiamman Temple, Manapparai Taluk, Thiruchirappalli within a stipulated time.

2.The learned counsel for the petitioner submitted that the petitioner's father and his forefather were hereditary Trustees of Arulmigu Gurunathaswamy Pattathalatchiamman Temple, Manapparai Taluk, Thiruchirappalli District. The Deputy Commissioner Hindu Religious and Charitable Endowments, Thiruchirappalli had passed an order in O.A.No.258 of 1996, declaring his father Karuppanna Chettiyar and others as hereditary trustees of the Temple. The petitioner's father died on 14.06.1981, so, the petitioner, his sisters and brother, as legal heirs, filed O.S.No.122 of 2008, before the District Munsif Court, Manapparai, seeking a declaration to declare them as legal heirs of their father and the same was decreed in their favour on 30.06.2008.



3. It is further submitted that the petitioner filed a representation before the respondent on 13.07.2011, seeking hereditaryship, in view of his father's demise, however, till date no order has been passed on his application, therefore, the petitioner has come before this Court, by way of this writ petition.

4. The learned counsel for the petitioner submitted that a direction to the respondent to consider the application of the petitioner and pass orders on merits, would suffice. The Special Government Pleader, on instructions would submit that the application of the petitioner would be considered on merits, within a stipulated time period.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondent to consider the application of the petitioner, dated 13.07.2011 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thiruchirappalli.

+1cc to Mr.T.Antony Arul Raja, Advocate sr.No.80305

DSK

VB/KK/SAR1/10/10/2017/2P/3C

**ORDER MADE IN
W.P(MD) No.17230 of 2017
21.09.2017**