

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3/6/2019

C O R A M

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.17109 of 2018
and
W.M.P.No.20374 of 2018

T.R.Ramesh

....

Petitioner

Vs

1. The State of Tamil Nadu
rep. By its Secretary
Department of Tourism, Culture and
Religious Endowments Department
Secretariat, Fort St. George
Chennai 600 009.
2. The Commissioner
Hindu Religious & Charitable Endowments Department
119 Uthamar Gandhi Road
Nungambakkam
Chennai 600 034.
3. The Executive Officer
Sri Venkatachalapathy Swamy Temple
OppiliappanKovil, N. Street
Thirunageshwaram
Kumbakonam Taluk
Thanjavur District.612 204
4. The Executive Officer
Sri Kapaleeshwarar temple
Mylapore
Vadakku Mada Veedhi
Chennai 600 004.
5. The Executive Officer
Sri Kamakshi Amman Temple
Kancheepuram
Tamil Nadu.631 502
6. The Executive Officer
Sri Subramanya Swami Temple
Tiruttani 631 2019
Tiruvallur District.

7. The Executive Officer
Sri Avinashi Lingeshwarar Temple
Avinashi 641 654.
Tirupur District.
8. The Executive Officer
Sri Bangaru Kamakshi Amman Temple
West Main Street
Thanjavur.
9. The Executive Officer
Sri Sukavaneswarar Temple
Swarnambigai Agraharam
Salem 636 001.
10. The Executive Officer
Sri Vataranyaswami Temple
Tiruvalangadu
Tiruvallur 631 210. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a writ of declaration to declare the position of the Executive Officer in the offices of respondents 3 to 10 is nonest, illegal and ultra vires the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

For Petitioner ... Mr.Niranjan Rajagopalan
for M/S.G.R.Associates
For Respondents... Mr.M.Maharaja
Special Government Pleader
(HR & CE)
for R.R.1 and 2.
Mr.P.Gopalan
for R.6.

- - - - -

WEB COPY
O R D E R
(Order of this Court was made by S.MANIKUMAR, J.)

Instant public interest litigation has been filed for a writ of declaration, declaring the position of the Executive Officer, in the offices of respondents 3 to 10, as unconstitutional, nonest, illegal and ultra vires, the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

2. Whatever the petitioner has contended in the instant writ petition, appears to be the contentions raised in the letter/petition, dated 24/7/2017.

3. The Commissioner, HR & CE, vide proceeding, in R.C.No.33537/2017-1/L5, dated 18/11/2017, has already rejected the case of the petitioner, which remains unchallenged. Therefore, we are of the prima facie view that prayer sought for, issuance of a writ of declaration, cannot be granted.

4. Mr.Niranjan Rajagopalan, learned counsel for the petitioner seeks permission to withdraw the instant writ petition, with liberty to challenge the order, dated 18/11/2017. He has also made an endorsement to that effect.

5. Placing on record the above, instant writ petition is dismissed, granting liberty as prayed for. No costs. Consequently, the connected Miscellaneous Petition No.20374 of 2018 is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mvs.
To

1. The Secretary
State of Tamil Nadu
Department of Tourism, Culture and
Religious Endowments Department
Secretariat, Fort St. George
Chennai 600 009.
2. The Commissioner
Hindu Religious & Charitable Endowments Department
119 Uthamar Gandhi Road
Nungambakkam
Chennai 600 034.
3. The Executive Officer
Sri Venkatachalapathy Swamy Temple
OppiliappanKovil, N. Street
Thirunageshwaram
Kumbakonam Taluk
Thanjavur District.612 204
4. The Executive Officer
Sri Kapaleeshwarar temple
Mylapore
Vadaku Mada Veedhi
Chennai 600 004.

5. The Executive Officer
Sri Kamakshi Amman Temple
Kancheepuram
Tamil Nadu.631 502
6. The Executive Officer
Sri Subramanya Swami Temple
Tiruttani 631 2019
Tiruvallur District.
7. The Executive Officer
Sri Avinashi Lingeshwarar Temple
Avinashi 641 654.
Tirupur District.
8. The Executive Officer
Sri Bangaru Kamakshi Amman Temple
West Main Street
Thanjavur.
9. The Executive Officer
Sri Sukavaneswarar Temple
Swarnambigai Agraharam
Salem 636 001.
10. The Executive Officer
Sri Vataranyaswami Temple
Tiruvalangadu
Tiruvallur 631 210.

+1cc to M/S.G.R.Associates , Advocate SR.No. 44736
+1 cc to Government Pleader Sr.No. 45469

W.P.No.17109 of 2018

A.SK(07/06/2019)

सत्यमेव जयते

WEB COPY