



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.22763 of 2019

and

W.M.P.(MD).No.19518 of 2019

P.Subramanian

... Petitioner

vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichy.

3.The Executive Officer,
Arulmigu Ponnar Sankar Temple,
Valanadu,
Marungapuri Taluk,
Trichy District.

4.The Fit Person,
Arulmigu Ponnar Sankar Temple,
Valanadu,
Marungapuri Taluk,
Trichy District.

5.N.R.Thiruvengatam

6.R.Chandrasekar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus directing the 1st respondent to take action on the proceedings in Na.Ka.No.4861/2019/A4 dated 04.04.2019 which was forwarded by the 2nd respondent to cancel the nature of hereditary in the Arulmigu Ponnarsankar Temple, Valanadu, Marungapuri Taluk, Trichy District.

For Petitioner : Ms.C.Bharathi

For Respondent : Mrs.J.Padmavathi Devi
Special Government Pleader for RR-1 & 2



O R D E R

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for R-1 and R-2. Mr.A.N.Ramanathan, learned counsel takes notice for R-3 and R-4.

2.By consent of both sides, the writ petition itself is taken up for final disposal.

3.This writ petition has been filed for issuance of a direction, directing the 1st respondent to take action on the proceedings in Na.Ka.No.4861/2019/A4 dated 04.04.2019 which was forwarded by the 2nd respondent to cancel the nature of hereditary trustees in the Arulmigu Ponnarsankar Temple, Valanadu, Marungapuri Taluk, Trichy District.

4.The petitioner is a worshipper. The second respondent forwarded the files to the first respondent for the purpose of setting aside the order passed by the previous Joint Commissioner in O.A.No.15/1994. In that O.A, the Joint Commissioner has held that the 5th and 6th respondents are Hereditary Trustees. Against which, the successor Joint Commissioner, on the basis of the records recommended the case for consideration of the first respondent and this file is pending before the first respondent. In the mean while, the suspension of one of the Hereditary Trustees has been stayed. During the pendency of the matter, the petitioner has approached this Court for early disposal of the case by the Commissioner. The petitioner is neither a person aggrieved nor a party having interest in the Office of Hereditary Trustees.

5.It appears that the above writ petition is filed out of malafides. Since the petitioner has no locus standi, the writ petition is not maintainable.

6.Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

vs



To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichy.

+1 CC to M/s.C.BHARATHI, Advocate (SR-95168[F] dated 31/10/2019)

W.P. (MD) No.22763 of 2019
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JMN(13.11.2019) 3P : 4C