



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED:17.12.2019**

CORAM:

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**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**W.P(MD)No.26857 of 2019**

S.Natarajan

... Petitioner

Vs.

1.The Commissioner,  
Hindu Religious and Charitable Endowment Board,  
Office of the Hindu Religious and Charitable Endowment  
Board,  
Nungambakkam,  
Chennai -34.

2.The Joint Commissioner,  
Hindu Religious and Charitable Endowment Board,  
Madurai.

3.The Inspector,  
Hindu Religious and Charitable Endowment Board,  
Palani,  
Dindigul District.

4.The Executive Officer,  
Arulmighu Idumban Thirukkoil,  
Old Ayakudi,  
Palani,  
Dindigul District -624 601

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the second respondent to approve the list submitted by the Old Ayakudi Pandiya Vellalar Community Peoples in the meeting conducted on 10.09.2019 for Non Hereditary Trustee of Old Ayakudy Pandiya Vellalar Thanneer Pandal Madam at Palani on the basis of the Petitioner's representation, dated 22.11.2019

For Petitioner : Mr.D.Senthil

For Respondents : Mr.VR.Shanmuganathan  
1 to 3 Special Govt.Pleader

For Respondent-4 : Mr.Muthu Geethaiyan

**ORDER**

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the second respondent to approve the list submitted by the Old Ayakudi Pandiya Vellalar Community People in the meeting conducted on 10.09.2019 for Non-Hereditary Trustee of Old Ayakudy Pandiya Vellalar Thanneer Pandal Madam at Palani on the basis of the Petitioner's representation, dated 22.11.2019

2.Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mr.Muthugeethaiyan, learned counsel takes notice for the fourth respondent.

3.By consent of both parties, the main Writ Petition is taken up for final disposal.

4.The Writ Petition is filed seeking direction to the second respondent/The Joint Commissioner, Hindu Religious Charitable and Endowment Board, Madurai to approve the list submitted by the Old Ayakudi Pandiya Vellalar Community People in the meeting conducted on 10.09.2019 for Non-Hereditary Trustee of the above said Madam at Palani. In this regard, already a Fit Person for the above-said Madam has issued public notice for conducting a meeting, as per the Scheme framed in O.A.No.93 of 1976. The said meeting was for choosing 3 to 5 members belonging to the Old Ayakudy Pandiya Vellalar Community, as Trustees. As per the said notice, it appears that the meeting was conducted. In the said meeting, one Ms.Gowsalya, Duty Officer and Commissioner of HR and CE and one Muthusamy were also present. In the first resolution, it is stated that the appointment of Trustee was adjourned based on the complaint given by one of the persons belonging to Pandiya Vellalar Community. As per the Resolution No.3, it appears that 3 trustees namely, one N.Sivalingam(President), A.Duraiselvan(Secretary) and K.Thirumalaisamy (Treasurer) have been elected. On going through the minutes of the meeting, it appears that election of the said persons were contrary to the Resolution No.1 and further, it is seen that the Executive Officer and the Commissioner had left the place before the resolution was passed.

5.After hearing the learned counsel for the Petitioner as well as the learned counsel for the fourth respondent, now it is agreed that fresh notice may be issued by the fourth respondent in this regard for electing the Trustees for the Old Ayakudi Pandiya Vellalar Thanneer Pandal Madam, specifying the date and place for convening the meeting and calling upon all those persons belonging to the said Ayakudy Pandiya Vellalar Community to participate.

6.In view of the above, the fit person is directed to elect 3 to 5 persons as per the Scheme as Trustees for the performance of the endowment. The said members, who are elected will follow the



rest of the procedures as set out in the Scheme framed by this Court. For the completion of the above process, the fourth respondent requires eight weeks time. Accordingly, the fourth respondent is directed to complete the above-said process within a period of eight weeks from the date of receipt of a copy of this order.

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7. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

To

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2. The Joint Commissioner,  
Hindu Religious and Charitable Endowment Board,  
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Hindu Religious and Charitable Endowment Board,  
Palani, Dindigul District.
4. The Executive Officer,  
Arulmighu Idumban Thirukkoil,  
Old Ayakudi, Palani,  
Dindigul District -624 601

+1 CC to M/s.M.MUTHUGEETHAYAN, Advocate ( SR-105443[F]  
+1 CC to M/s.D.SENTHIL, Advocate ( SR-105662[F]  
+1 CC to M/s.SPL.GP ( SR-105988[F]

**ORDER MADE IN**

**W.P(MD) No.26857 of 2019**

**17.12.2019**

DKS (CO)

TR(10.01.2020) 3P 8C