

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 9924 of 2019
and
W.M.P. No. 10510 of 2019

His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar,
Pedda Jeeyangar Mutt,
No. 227, G.N. Mada Street,
Tirupati, Andhra Pradesh,
Rep. by His Power Agent
T. Ragavachari also known as T. Raghavan,
191, Sannadhi Street,
Tirupathi, Andhra Pradesh

... Petitioner

-vs-

1. The Public Information Officer,
Office of the Joint Commissioner,
Department of Hindu Religious and Charitable Endowment,
Vellore District.
2. The State Information Commissioner,
Tamil Nadu Information Commission,
No. 2, Thiyagaraya Road,
Near Alaiamman Koil,
Teynampet,
Chennai - 600 018.

3. K.G. Kannan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records on the file of the Second Respondent leading to the impugned order passed by the Second Respondent in S.A. No. 2524/A/2018 dated 28.01.2019 and quash the same.

For Petitioner : Mr. Ashok Kumar
for Ms. R. Ramya

For Respondents: Mr. D.Sathyaraj
Special Government Pleader (for R1)

Mr. Niranjan Rajagopalan,
Standing Counsel (for R2)

Mr. G.S.Vivekanandan (For R3)

O R D E R

(through video conference)

Heard Mr. Ashok Kumar, Learned Counsel for the Petitioner, Mr. D.Sathyaraj, Learned Special Government Pleader for the First Respondent, Mr. Niranjan Rajagopalan, Learned Standing Counsel for the Second Respondent and Mr. G.S.Vivekanandan, Learned Counsel for the Third Respondent, and perused the materials placed on records, apart from the pleadings of the parties.

2. The Third Respondent, viz., K.G.Kannan, had preferred Second Appeal in S.A. No. 2524/A/2018 under Section 19(3) of the Right to Information Act, 2005 (hereinafter referred to as 'the Act' for short) before the Second Respondent in respect of certain information relating to Arulmigu Bakthavatsala Perumal Thirukoil, Tirunindravur (hereinafter referred to as 'the Thirukoil' for short). During the hearing on 28.01.2019 in that Second Appeal before the Second Respondent, it had been then brought to notice that one T.Ragavachari @ T.Raghavan had been appointed as Power Agent of His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar, who is the Hereditary Trustee of the Thirukoil. The Second Respondent was of the view that the said Power Agent would have a copy of the order of the Civil Court appointing His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar as Hereditary Trustee and the order passed by the Commissioner, Hindu Religious and Charitable Endowment approving his appointment as Power Agent of the Hereditary Trustee, and required the said Power Agent to appear before the Second Respondent on a future date of hearing to be fixed with those documents. Aggrieved thereby, the Writ Petition has been filed by the Petitioner, viz., His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar represented by his Power Agent Mr. T.Ragavachari @ T. Raghavan, challenging the said order.

3. The contentions raised in the Writ Petition is that the Petitioner does not have the copy of the judgment recognizing the Hereditary Trusteeship as it is more than 100 years old and that though T.Raghavan has been appointed as Power Agent of His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar, there is no

separate order issued under the Tamil Nadu Hindu Religious and Charitable Endowment Act recognizing the same in the absence of any provisions in that Act in that regard. Inasmuch as the impugned order dated 28.01.2019 is not a final decision in the Second Appeal and it is only an interim order requiring production of certain documents from the custody of the Petitioner, it would suffice to observe here that the Petitioner may place the aforesaid explanation before the Second Respondent, who shall duly consider the same as response to the impugned order dated 28.01.2019 in that Second Appeal.

4. The Second Appeal filed by the Third Respondent shall be listed for hearing before the Second Respondent on 01.10.2020, and the Petitioner and the First and Third Respondents shall appear on that date without fail. If the Second Respondent is not in a position to take up the matter for hearing on that date, it shall inform to all parties concerned of the date of hearing to which it is adjourned in the prescribed manner. The Second Respondent shall afford a full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice and shall pass reasoned orders dealing with each of the contentions raised by the parties on merits and in accordance with law. Though obvious, it is made clear that no view has been expressed by this Court on correctness or otherwise on the merits of the factual controversies between the contesting parties.

5. In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1. The Public Information Officer,
Office of the Joint Commissioner,
Department of Hindu Religious and Charitable Endowment,
Vellore District.
2. The State Information Commissioner,
Tamil Nadu Information Commission,
No. 2, Thiyagaraya Road,
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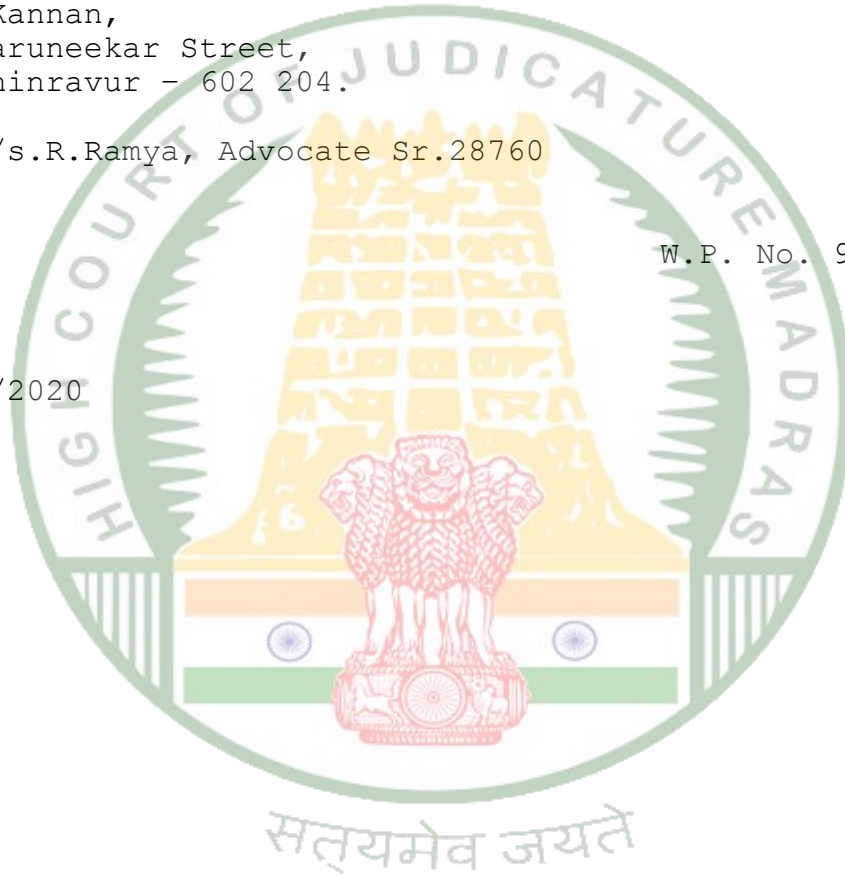
Copy to:

1. His Holiness Sri Sadagopa Ramanuja Pedda Jeeyangar,
Pedda Jeeyangar Mutt,
No. 227, G.N. Mada Street,
Tirupati, Andra Pradesh,
Rep. by His Power Agent
T. Ragavachari also known as T. Raghavan,
191, Sannadhi Street,
Tirupathi, Andhra Pradesh.
2. K. G. Kannan,
33, Karuneeekar Street,
Thiruninravur - 602 204.

+1cc to M/s.R.Ramya, Advocate Sr.28760

W.P. No. 9924 of 2019

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srg 16/09/2020



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