

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.13993 of 2019
and
W.M.P.No.14037 of 2019

Gunasekaran

.. Petitioner

..Vs..

- 1.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
(HR & CE), Namakkal District.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
(HR & CE), Salem.
- 3.The Fit Person/Thakkar,
Arulmigu Aangalamman Temple,
Paramthivelur Taluk,
Namakkal District.
- 4.The Executive Officer,
Arulmighu Angalamman Temple,
Paramthivelur Taluk,
Namakkal District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified, calling for the records pertaining to the impugned order passed by the first respondent herein vide Na.ka.No.2585/2017/A6 dated 14.12.2017 and quash the same and consequently implement the temple scheme as framed and ordered by the second respondent vide O.A. 14 of 2004 dated 07.01.2020 by appointing the 5 (five) new Non-Hereditary trustees who were unanimously elected by temple trust board comprising 14 different communities as per said scheme.

For Petitioner : Mr.B.Jegannath

For Respondents: Mr.M.Karthikeyan
Special Government Pleader

O R D E R

Mr.M.Karthikeyan, learned Special Government Pleader takes notice for the respondents.

2.The petitioner has filed the present Writ Petition for issuance of a Writ of Certiorarified, calling for the records pertaining to the impugned order passed by the first respondent herein vide Na.ka.No.2585/2017/A6 dated 14.12.2017 and quash the same and consequently implement the temple scheme as framed and ordered by the second respondent vide O.A. 14 of 2004 dated 07.01.2020 by appointing the 5 (five) new Non-Hereditary trustees, who were unanimously elected by Temple Trust Board comprising 14 different communities as per the said scheme.

3.The learned counsel for the petitioner submitted that the respondents had appointed the petitioner as the Fit Person/Thakkar for the Temple namely, Arulmigu Aangalamman Temple, Paramthivelur Taluk, Namakkal District. Now the petitioner states that he had submitted an application to consider him as a non-hereditary trustee and the said application is still pending.

4.Mr.M.Karthikeyan, learned Special Government Pleader submitted that enquiry is fixed on 23.01.2020 in respect of the removal of the hereditary trustees.

5.Considering the facts and circumstance of this case, this Court is not inclined to pass any specific order. On completion of the said enquiry, the respondents may take appropriate decision on or before 30.03.2020 on merits and in accordance with law.

6.With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar (CO)

//True Copy//

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Sub Assistant Registrar

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To

1.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
(HR & CE), Namakkal District.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
(HR & CE), Salem.

3.The Fit Person/Thakkar,
Arulmigu Aangalamman Temple,
Paramthivelur Taluk,
Namakkal District.

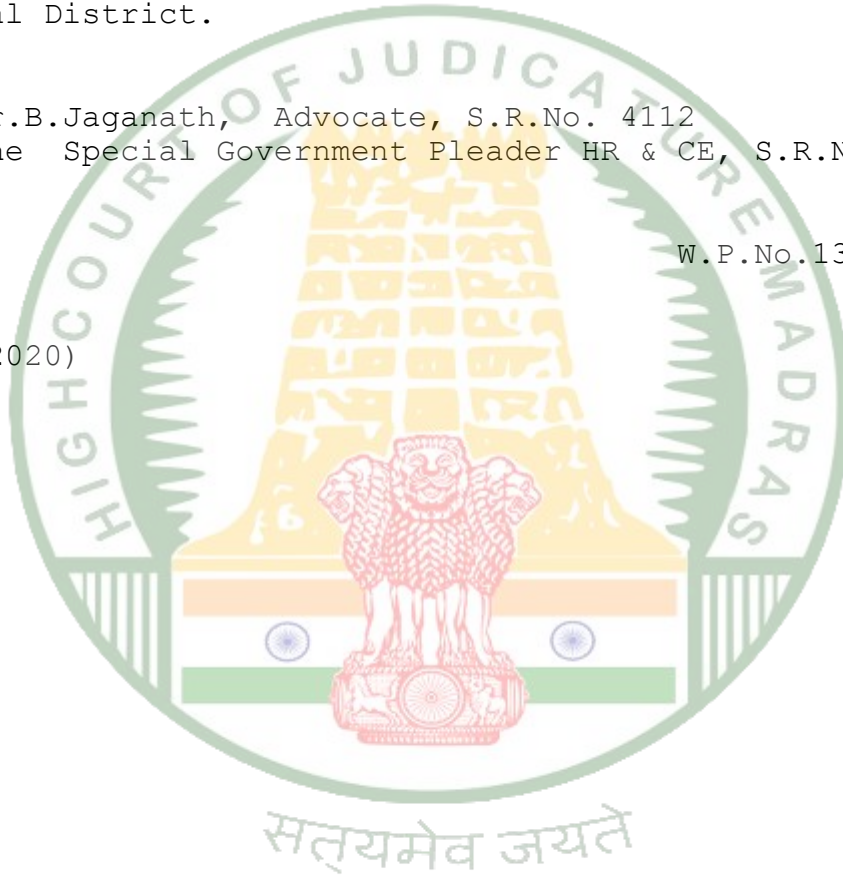
4.The Executive Officer,
Arulmighu Angalamman Temple,
Paramthivelur Taluk,
Namakkal District.

+1cc to Mr.B.Jaganath, Advocate, S.R.No. 4112

+1cc to the Special Government Pleader HR & CE, S.R.No. 5389

W.P.No.13993 of 2019

PVS (CO)
GN(27/02/2020)



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