



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11204 of 2020

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O.Seenivasan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its
Additional Chief Secretary to Government,
Religious Endowments Department,
Secretariat, Fort.St.George,
Chennai - 600 009.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119,Uthammar Gandhi Road,
Nungambakkam,
Chennai - 600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tirunelveli.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
Kulasekarapattinam Division,
Tiruchendur Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to pass orders appointing the petitioner and others as the trustees of Arulmighu Swami Chidambareswarar Vagaiyara Temples, on the basis of the proposal forwarded by the Joint Commissioner of H.R & C.E department dated 05.07.2019 in Na.Ka.No.10563/2019/A2 within a reasonable time period to be fixed by this Court.

For Petitioner : Mr.N.Dilip Kumar
For Respondents : Mr.K.P.N.Narayanakumar
Special Government Pleader



O R D E R

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

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2.The petitioner's counsel submits that the subject matter pertains to the appointment of trustees for the petition mentioned temple. The administration is governed by a scheme.

3.The petitioner's grievance is that even though the proposal had been submitted by the 3rd respondent quite some time back, the 2nd respondent has taken no decision. This is the cause of action for filing this writ petition.

4.When the matter was taken up for admission, the learned Special Government Pleader brought to my notice that the 2nd respondent had already informed the 3rd respondent vide communication bearing Na.Ka.No.40030/2019/A2 dated 24.07.2019 instructing him in this regard. It is seen that the trustees have to be elected from among the 30 families. It appears that these families are divided into two groups. One group held their general body meeting on 24.06.2019 while the other group conducted their general body meeting on 30.06.2019. Since two rival groups independently convened the general body meetings, it is difficult for the 2nd respondent to finalise the issue. Therefore, the 2nd respondent had called upon the 3rd respondent to prevail upon the 30 pungalies to convene a common general body meeting and elect the trustees.

5.If such a common general body meeting is convened and proposals are submitted, the HR & CE department is directed to finalise the list of trustees as earlier as possible without any delay.

6.With these direction, this writ petition is disposed of. No cost.

Sd/-

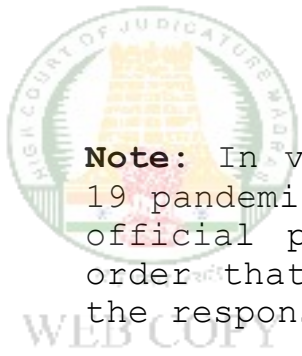
Assistant Registrar(CS-III)

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/ /2020

Sub Assistant Registrar(CS)

dss



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Additional Chief Secretary to Government,
Religious Endowments Department,
Secretariat, Fort.St.George,
Chennai - 600 009.
- 2.The Commissioner,
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Thoothukudi District.

+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-16447[F] dated 10/09/2020)

+1 CC to M/s.GP (SR-16508[F] dated 10/09/2020)

W.P. (MD)No.11204 of 2020

09.09.2020

SJ(CO)

TR(18.09.2020) 3P 7C