



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.10.2020

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.1933 of 2019

and

W.M.P. (MD)No.5389 of 2019

WEB COPY

Chellamani Iyengar

: Petitioner

Vs.

The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Paramakudi, Ramanathapuram District.

: Respondent

RAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent to appoint the petitioner as Hereditary Trustee of "Sri Malai Mandala Srinivasa Perumal Thirukovil", situated at Thiruppasethi, Thiruppuvanam Taluk, Sivagangai District by considering the petitioner representation, dated 13.07.2018.

For Petitioner

:Mr.K.Pandy

For Respondent

:Mr.K.P.Narayanakumar

Special Government Pleader

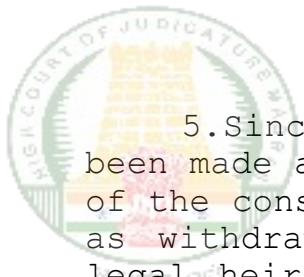
ORDER

This Writ Petition has been filed for a Mandamus, seeking for a direction to direct the respondent to appoint the petitioner as Hereditary Trustee of "Sri Malai Mandala Srinivasa Perumal Thirukovil", situated at Thiruppasethi, Thiruppuvanam Taluk, Sivagangai District by considering the petitioner's representation, dated 13.07.2018.

2.Heard Mr.K.Pandy, learned Counsel appearing for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondent.

3.The learned Counsel for the petitioner submits that the petitioner is dead and he seeks time to bring on record the legal heirs of the deceased petitioner.

4.The learned Special Government Pleader appearing for the respondent would submit that necessary party to be impleaded in this Writ Petition is the Joint Commissioner, HR & CE Department, who is alone empowered to recognise a person as Hereditary Trustee under Section 63 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.



5.Since the Joint Commissioner, HR & CE Department, has not been made as a party respondent in this Writ Petition, this Court is of the considered view that this Writ Petition shall stand dismissed as withdrawn. However, liberty is granted by this Court to the legal heirs of the deceased petitioner to prefer a separate Writ Petition for the same relief after impleading all the necessary parties as party respondents, including the Joint Commissioner, HR & CE Department.

6.Accordingly, this Writ Petition is dismissed as withdrawn. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar(CS)

cmr

To

The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Paramakudi, Ramanathapuram District.

+1 CC to SPL GP (SR-19629[F] dated 09/10/2020)

Order made in
W.P. (MD)No.1933 of 2019
08.10.2020

VB (16.10.2020) 2P 3C