



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13172 of 2020 and

WMP(MD) No.11040 of 2020

WEB COPY

Periyanambi Narasimha Gopalan

...Petitioner

Vs

1.The Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

2.The Commissioner,
HR & CE Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

3.The Joint Commissioner,
HR & CE Department,
Trivendrum High Road,
Palayamkottai,
Tirunelveli - 627 002.

...Respondents

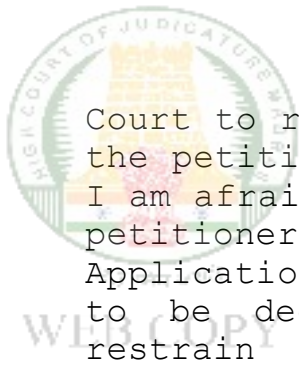
PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents not to appoint trustee(s) to Arulmigu Sri Rajagopalaswamy Kulasekara Alwar Thirukovil at Mannar Kovil - 627 413, Ambasamudram, Tirunelveli District until the final disposal of the petitioner's application for hereditary trusteeship pending before Respondent No.3.

For Petitioner	: Mr.K.Gokul
For Respondents	: Mr.K.P.Narayanakumar Special Government Pleader

O R D E R

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner had filed an application before the third respondent for recognising him as the Hereditary Trustee of the petition mentioned temple. The application was filed in July 2020. It was returned for certain compliances. The petitioner states that the application has been represented and the defects
<https://services.hse.madras.gov.in/interids/> out have been set right. The petitioner wants this



Court to restrain the authorities from appointing any trustees for the petition mentioned temple till his application is disposed of. I am afraid that I cannot accept the said request made by the writ petitioner. The fact remains that as on date even his Original Application has not been numbered. The petitioner's rights are yet to be declared or recognized. Therefore, it is improper to restrain the statutory authorities from discharging their statutory functions. But relief can be given to the petitioner herein by directing the third respondent to dispose of the application as early as possible.

3.The learned Special Government Pleader states that the third respondent would dispose of the petitioner's application within a period of eight months. Though this period may appear to be long, this Court is of the opinion that Original Applications normally take years to get disposed of. When it is undertaken that the application of the petitioner recognising his hereditary trusteeship would be disposed of within a period of eight weeks, no exception can be taken. Any action that may be taken in the meanwhile will abide by the outcome of the said petition. With these clarification and direction, the Writ Petition is disposed of. I make it clear that I have not gone into the merits of the matter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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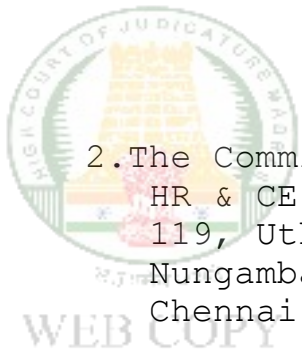
Note:

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 Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner,
HR & CE Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

3.The Joint Commissioner,
HR & CE Department,
Trivendrum High Road,
Palayamkottai,
Tirunelveli - 627 002.

+1 CC to Mr.K. GOKUL, Advocate (SR-18597[F] dated 30/09/2020)

+1 CC to SGP (SR-19037[F] dated 05/10/2020)

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KM (14.10.2020) 3P 6C