



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.15491 of 2020

WEB COPY

C.Subramani Ambalam

.. Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

2.The Executive Officer,
Arulmighu Veerakaliamman Kovil,
Keezhavalavu Village,
Melur Taluk, Madurai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to dispose the O.A.No.08 of 2018 preferred by the writ petitioner and 8 others within the time limit fixed by this Court.

For Petitioner : Mr.S.Manikandan

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

ORDER

(This writ petition is heard through Video Conference)

This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent herein to dispose of O.A.No.08 of 2018, preferred by the writ petitioner and 8 others, within a time limit to be fixed by this Court.

2.Heard Mr.S.Manikandan, learned counsel appearing for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that O.A.No.8 of 2018 has been filed by the petitioner and eight others before the first respondent under Section 64(i) of the Tamilnadu Hindu Religious and Charitable Endowments Act, to recognize the petitioner as a Non Hereditary Trustee of the second respondent Temple. According to him, proceedings have already been commenced as early as on 27.06.2018, but till date, the first respondent has not passed final orders in O.A.No.08 of 2018 preferred by the petitioner. In such circumstances, he seeks early disposal of his application
https://hcc.mca.gov.in/Services of 2018 by the first respondent.



5.The relief sought for by the petitioner is an innocuous relief. No prejudice will be caused to the first respondent, if the petitioner's application O.A.No.08 of 2018, is disposed of by him on merits. Admittedly, the application was filed by the petitioner, under Section 64 (i) of the Hindu Religious and Charitable Endowments Act, to recognize him as a Non Hereditary Trustee. It is also an admitted fact that the said application is pending on the file of the first respondent ever since 2018.

6.For the foregoing reasons, this Court directs the first respondent to consider the application in O.A.No.08 of 2018 filed by the petitioner, under Section 64 (i) of the Hindu Religious and Charitable Endowments Act, to recognize him as a Non Hereditary Trustee and pass final orders on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

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

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

+1 CC to SGP (SR-21896[F] dated 11/11/2020)

W.P. (MD)No.15491 of 2020

06.11.2020

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