



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.4751 of 2019 and 24060 of 2018

And

W.M.P.Nos.5386, 5387, 9592 of 2019,
28041, 28042, 28043 and 37474 of 2018

B.R.Velu Achari ... Petitioner in W.P.No.4751/2019

1.K.Murthy Achari

2.D.Jagadeesan Achari

3.D.Yuvaraj Achari

4.R.Rajendra Kumar Achari

5.P.Panchatram Achari

... Petitioners in W.P.No.24060/2018

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary to Government,
Tourism, Culture and Endowments Department,
Fort St.George,
Chennai - 600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai - 600 034.

3.The Joint Commissioner,
Chennai Circle,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai - 600 034.

... Respondents in both the W.Ps.

Prayer in W.P.No.4751 of 2019:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records on the file of the second respondent in his Proceedings in Na.Ka.No.2491/2018/A1 dated 04.09.2018 and quash the same.



Prayer in W.P.No.24060 of 2018:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the third respondent in Na.Ka.No.2491/2018/A1 dated 04.09.2018 and to quash the same and consequently directing the respondents 1 to 3 to fix the term of office of the Board of Trustees as three years as per the Scheme Decree in C.S.No.62 of 1933 dated 25.09.1935, passed by this Hon'ble High Court, Madras for Chennai Sri Kalikambal Kamadeswarar Devasthanam, No.244, Thambu Chetty Street, Chennai 600 001.

For Petitioners : Mr.M.V.Vijaya Baskar
in W.P.No.4751 of 2019

Mr.M.B.Baskar
in W.P.No.24060 of 2018

For Respondents: Mr.U.Baranidharan
Additional Government Pleader
in W.P.No.4751 of 2019

Mr.M.Maharajan
Special Government Pleader
in W.P.No.24060 of 2018

C O M M O N O R D E R

The petitioners are erstwhile Office bearers of Aurlmigu Sri Kalikambal Udanurai Kamateeswarar Temple. According to the petitioners, the said Temple is denominational in nature and there is a Scheme Decree and contrary to the Scheme Decree, the Government fixed the period of Trusteeship as two years instead of three years as mandated in the Scheme Decree. Challenging the same, the petitioners have filed these writ petitions.

2.Some of the petitioners herein filed O.S.A.Nos.133 and 135 of 2019 before the Hon'ble Division Bench of this Court challenging the conduct of election and appointment of Fit person as per the Scheme Decree and the Hon'ble Division Bench of this Court vide judgment dated 06.11.2019 rejected the Scheme Decree and directed the Government to conduct election. The said issue became final. It appears that subsequent to the order of the Hon'ble Division Bench of this Court, election was conducted and newly elected Committee has taken charge of the Temple.



WEB COPY

3. In view of the above, these writ petitions are dismissed. However, liberty is granted to the petitioners to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

pri

To

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Tourism, Culture and Endowments Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai - 600 034.
3. The Joint Commissioner,
Chennai Circle,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai - 600 034.

+2cc to Mr.M.Baskar, Advocate SR.No.58758
+1cc to Mr.M.V.Vijaya Baskaran, Advocate SR.No.59385
+1cc to the Government Pleader, SR.No.59174

W.P.Nos.4751 of 2019
and 24060 of 2018

And

W.M.P.Nos.5386, 5387,
9592 of 2019, 28041,
28042, 28043 and
37474 of 2018

VBM(CO)
CB(17/12/2021)