



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.6507 of 2014
and M.P.No.1 of 2014

1. Mr.N.Skandavell
2. Mr.K.Jagadeesan
3. Mr.S.Mohanasundaram
4. Mr.S.Tamizhselvan
5. Mr.P.Natarajan

...Petitioners

Vs

1. The Commissioner,
Hindu Religious and Charitable
Endowments Dept.,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari calling for the records of respondent Vide No.Se.Mu.Na.Ka.No.64107/2011/A1, dated 17.2.2014 and quash the same.

For Petitioners : Mr.K.P.Chandrasekaran
For Respondent : Mr.N.R.R.Arun Natarajan,
Government Advocate.

O R D E R

Heard Mr.K.P.Chandrasekaran, learned counsel for the petitioners and Mr.N.R.R.Arun Natarajan, learned Government Advocate for the respondent.

2. There is no dispute on the position that the management of the Arulmighu Angala Parameswarai and Kasi Viswanathaswamy Temple, Choolai (temple/temple in question) is with the Hindu Religious and Charitable Endowments Department (HR & CE). This position has been noticed by Justice V.Ramasubramaniam in W.P.No.15545 of 2011 vide order dated 05.07.2012 and he has chosen not to disturb the status as regards the management of the temple. This position continues till date and is not disturbed. Justice V.Ramasubramaniam has, in the aforesaid order, directed the respondents to complete the enquiry in



regard to the charges framed against the petitioners as regards the management of the temple for the earlier periods.

3. Though a time line has been fixed for the completion of enquiry and passing of orders by eight weeks, the respondent has, no doubt, sat on the matter and orders had been passed only on 17.02.2014, far beyond the time frame fixed by the Court. This is not appreciated. Be that as it may, since the allegations levelled as against the petitioners and the responses furnished by the petitioners involve a decision on the disputed questions of fact, I am not inclined to adjudicate upon the same at this juncture.

4. Learned counsel for the petitioners would state that he would pursue the matter in statutory appeal and has also filed a memo to this effect.

5. Thus, recording the aforesaid memo, this Writ Petition is dismissed. Liberty is granted to the petitioners to file an appeal in terms of Section 53(5) of the Hindu Religious and Charitable Endowments Act, 1959 within a period of three (3) weeks from today. No costs. Connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Hindu Religious and Charitable
Endowments Dept.,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

2. The Section Officer, ER Section,
High Court, Madras.

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and M.P.No.1 of 2014

SPD(CO)
LS(08/09/2021)