



WEB COPY

W.P.(MD)No.7754 of 2021
S.Krishnan v. The Commissioner

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 09.04.2021

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.7754 of 2021
W.M.P. (MD) Nos.5904 and 5905 of 2021
(Through Video Conferencing)

S.Krishnan

... Petitioner

Vs.

1.The Commissioner

Tamil Nadu Hindu Religious and Charitable
Endowment Department
119 Gandhi Salai, Nungambakkam,
Chennai.

2.The Joint commissioner

Tamil Nadu Hindu Religious and Charitable
Endowment Department
Sivagangai.

3.M.Lakshmanan Chettiar

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to Se.Mu.Na.Ka.No.4486 of 2021 from the file of the 1st respondent and to quash the selection of Mr.L.M.Lakshmanan and appointing/recognizing the petitioner as the hereditary trustee for S.V.M.family for the year of 2022-23 for the petition temple.

For Petitioner :Mr.S.Madhavan

For Respondents :Mr.K.P.Narayanakumar for R1 & R2
Special Government Pleader
Mr.Sithirai Anandham for R3

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 16.02.2021 and for a consequential direction to the first respondent to recognize the petitioner as a hereditary trustee for the year 2022-23 by considering the representation and the resolution passed on 23.02.2021.



2.The case of the petitioner is that the first respondent, by virtue of the impugned proceedings, had selected one L.M.Lakshmanan as one of the hereditary trustee, who is falling under the Meiyappa Chettiyar Vagayara. The order of the first respondent was placed before the general body meeting that was convened by the SVM family and it was unanimously decided that since L.M.Lakshmanan is not interested in taking up the post of hereditary trustee, the petitioner can be considered to be appointed as a hereditary trustee in his place. This resolution along with the representation was also sent to the first respondent. Since the same was not considered, the present writ petition has been filed before this Court.

3. Heard Mr.S.Madhavan, learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

4. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the first respondent to consider the representation made by SVM family on 24.02.2021 along with the resolution passed on 23.02.2021, after affording an opportunity to all the interested parties and take a decision within eight weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the first respondent enclosing all the relevant documents along with a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (A.S.)

// True Copy //

Sub Assistant Registrar(CS)

RR

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 Commissioner
Tamil Nadu Hindu Religious and Charitable
Endowment Department
119 Gandhi Salai, Nungambakkam,
Chennai.

2.The Joint commissioner
Tamil Nadu Hindu Religious and Charitable
Endowment Department
Sivagangai.

1CC TO MR.S.MADHAVAN, ADVOCATE SR 15677
1CC THE SPL GOVT PLEADER SR 15812

GS
04/05/2021
3P/5C

W.P. (MD)No.7754 of 2021
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