



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2021

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HON'BLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.8699 of 2021
and WMP(MD)No.6564 of 2021

M.Manikandan

...Petitioner

-Vs-

1.The District Collector,
Trichy.

2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Musiri Taluk,
Trichy District.

4.Chellappa

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 3 to take over the administration of Apparswamy Thanneer Pandal Charity & its property situated in Door No.3/110 in New Survey No.874/9, Old Survey No.456/2 at Pulivalam Village, Musiri Taluk, Trichy District and Agricultural Punja Lands of Apparswamy Thanneer Pandal Charity situated in Survey Nos.134/1,2,3,7, 139/2, 154/2 measuring 5.5 acres at Pulivalam Village Musiri Taluk, Trichy District and to select and elect from among the General Public of Pulivalam Village Musiri Taluk, Trichy District as Administrative Committee members of Apparswamy Thanneer Pandal Charity in accordance with law within a time frame to be stipulated by this Court.

For Petitioner : Mr.N.Sankar Ganesh
For Respondents : Mr.K.P.Krishnadoss,
Spl. Govt. Pleader for R1 to R3



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.,**]

The petitioner by way of this Writ Petition, styled as a Public Interest Litigation, seeks for a direction upon the respondents 1 to 3 to take over the administration of Apparswamy Thaneer Pandal Charity & its property situated in Door No.3/110 in New Survey No.874/9, Old Survey No.456/2 at Pulivalam Village, Musiri Taluk, Trichy District and Agricultural Punja Lands of Apparswamy Thaneer Pandal Charity situated in Survey Nos.134/1,2,3,7, 139/2, 154/2 measuring 5.5 acres at Pulivalam Village Musiri Taluk, Trichy District and to select and elect from among the General Public of Pulivalam Village Musiri Taluk, Trichy District as Administrative Committee members of Apparswamy Thanneer Pandal Charity in accordance with law.

2. Heard Mr.N.Sankar Ganesh, the learned counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader who accepts notice on behalf of respondents 1 to 3.

3. From the facts placed before us, it is clear that the Charity, which is said to be conducted from 1950 onwards, is a private event. Therefore, direction cannot be issued to take over the said Charity. However, if there is any law and order problem, it is always open to the petitioner to present a representation before the second respondent, who will enquire and pass orders on the same, in accordance with law.

4. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vsm

Note: (I) 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 District Collector,
Trichy.



2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Musiri Taluk,
Trichy District.

+1 CC to M/s.SPL GP (SR-18085[F] dated 29/04/2021)

Order made in
W.P. (MD)No.8699 of 2021
28.04.2021

RK(12.05.2021) 3P 5C