



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2021

CORAM

THE HON'BLE MR. JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) No.13654 of 2021

S.Thenan

... Petitioner

Vs.

The Joint Commissioner,  
Tamil Nadu Hindu Religious and  
Charitable Endowment Department,  
Sivagangai District.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to recognize me as the hereditary trustee in the place of my father A.L.Sathappan Under Section 54(1) of Act 22/1959 under the principle of next in line of succession on the basis of my representation dated 17.08.2020.

For Petitioner : Mr.P.Rajagopalan  
For Respondent : Mr.P.Subbaraj  
Counsel for State

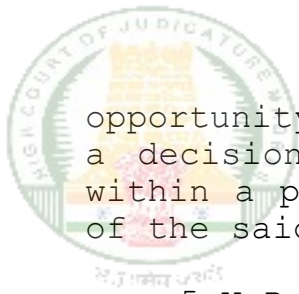
### **O R D E R**

The petitioner states that he is entitled to be appointed as a hereditary trustee of the Arulmighu Malayala Sathapan Sastha Iyyanar Temple, situated at Puthupatti, Sivagangai District.

2.The petitioner states that his father died on 25.06.2012 and that he is the sole legal heir., He further states that several legal heirs of hereditary trustees have attempted to get themselves appointed as hereditary trustee and that legal proceedings were initiated in that connection. It is also stated that a representation was submitted on 17.08.2020 to the Joint Commissioner, HR&CE but that no action has been taken thereon.

3.Mr.P.Subbraj, learned counsel for the State, accepts notice on behalf of the sole respondent. He submits that the representation dated 17.08.2020 is not for purposes of appointing the petitioner as a hereditary trustee. Accordingly, he states that if an appropriate representation is submitted, the same would be considered on merits.

4.Accordingly, without going into the merits of the matter, the petitioner herein is permitted to carry a fresh representation to the respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the respondent is directed to consider such representation by providing an



opportunity to the petitioner and all others who may be affected by a decision in such regard and thereafter issue a reasoned order within a period of three months from the date of receipt of a copy of the said representation.

5.W.P.(MD).No.13654 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

**To**

1.The Joint Commissioner,  
Tamil Nadu Hindu Religious and  
Charitable Endowment Department,  
Sivagangai District.

+1 CC to M/s.P.RAJAGOPALAN, Advocate ( SR-25591[F] dated 09/08/2021 )

+1 CC to M/s.Special Government Pleader ( SR-25616[F] dated 09/08/2021 )

W.P.(MD).No.13654 of 2021  
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**RS (17.08.2021) 2P 4C**