



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17738 of 2021

Thiyagarajan

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur, Thanjavur District.
 - 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Pudukkottai, Pudukkottai District.
 - 3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Pudukkottai, Pudukkottai District.
- ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to appoint the petitioner as one of the Hereditary Trustee by virtue of the order passed by the second respondent in O.A.No.61 of 1980 dated 29.07.1982 based on the petitioner's representation dated 18.02.2021.

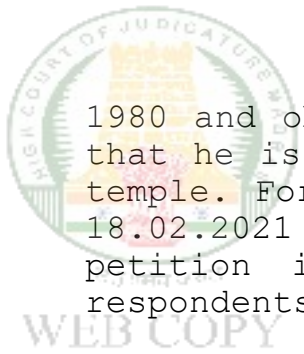
For Petitioner : Mr.M.Ramu

For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks the consideration of a representation dated 18.02.2021 seeking appointment as a Hereditary Trustee of the Angala Parameshwari Amman Temple at Kovilur Village, Gandarvakottai Taluk, Pudukkottai District.

2.The petitioner states that the above mentioned temple has been established by persons belonging to the Pandaram Community. According to the petitioner, his predecessors filed O.A.No.61 of



1980 and obtained an order in their favour. The petitioner asserts that he is entitled to be appointed as a Hereditary Trustee of the temple. For such purpose, he submitted a detailed representation on 18.02.2021 to the first and second respondents. The present writ petition is filed on account of the alleged failure of such respondents to act thereon.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner has a statutory remedy in case the second respondent fails to appoint him as a Hereditary Trustee.

4.Given the limited scope of the present writ petition, it is not necessary to enter findings on the merits thereof. The Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, confers power on the first and second respondents herein to appoint Hereditary Trustees as regards temples that come within their jurisdiction. The petitioner has submitted a representation in this regard and is, therefore, entitled to the consideration thereof.

5.Accordingly, without going into the merits of the matter, the second respondent is directed to consider the petitioner's representation dated 18.02.2021 and dispose of the same by a reasoned communication within a period of thirty (30) days from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

6.W.P(MD).No.17738 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)

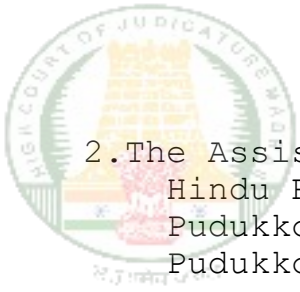
sn/sji

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 Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Pudukkottai,
Pudukkottai District.

3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Pudukkottai,
Pudukkottai District.

+1 CC to M/s.SPL.GP (SR-31005[F] dated 04/10/2021)

W.P (MD) .No.17738 of 2021
01.10.2021

RK(12.10.2021) 3P 5C