



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.441 of 2022

1. N.Soundappan
2. P.A.Soundappan
3. K.Thangaraj
4. P.Vijayakumar

.. Appellants/Petitioner
2 to 5 in WP.No.1405/2022

Vs.

1. The State rep. by its Secretary
Tourism, Culture and Religious
Endowment Department
Fort St. George, Chennai 600 009.
2. The Commissioner
Hindu Religious and Charitable
Endowment Department
Nungambakkam High Road, Chennai.
3. The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Erode.
4. The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department, Erode.

5. R.Palanichamy

.. Respondents/Respondents &
1st Petitioner in WP.No.1405/2022

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 0302.2022 made in W.P.No.1405 of 2022.

Prayer in WP.No.1405 of 2022:- This Writ Petition No.1405 of 2022 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent herein to



call for the application for the post of non hereditary trustees and thereby form a trust board for A/m Ramalinga Sowdewswari Amman Temple Punjai Puliampatti and to recommend two persons to be nominated as the trustees by the 1st respondent herein based on our representation dated 27.12.2021.

For the Appellants : Mr.Naveen Kumar Murthi
For Mr.V.P.K.Gowtham

For the Respondents : Mr.NRR.Arun Natarajan
Spl. Govt. Pleader
(HR&CE)
for respondents 1 to 4

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The writ appeal has been filed challenging the order dated 03.02.2022, whereby, the writ petition preferred by the petitioners/appellants was disposed of with certain observations and directions.

2. The writ petition was filed seeking a direction to the respondents to call for the applications to the post of non-hereditary Trustees and thereby form a Trust Board for the temple referred therein and to recommend two persons to be nominated as Trustees by the first respondent, based on their representation dated 27.12.2021.

3. The learned Single Judge disposed of the writ petition with a direction that the respondents would complete the process already commenced for the appointment of non-hereditary Trustees. It was made clear that the appointment would be made as per the provisions of Act and Rules. This should have satisfied the petitioners/appellants. Yet, an appeal has been filed with a request that a direction may be given to the second respondent to comply with the order of the learned Single Judge. Limited to the aforesaid, this appeal has been pressed.

4. We do not find any reason for the aforesaid prayer, while the direction of learned Single Judge is to expedite the process of appointment of the non-hereditary Trustees, as per the provisions of the Act and Rules. Thus, it goes without saying that the process would be completed by the competent officer by following the provisions of the Acts and Rules only.



5. With the aforesaid observations, the writ appeal is disposed of. There will be no order as to costs. Consequently, CMP Nos.3228 and 3230 of 2022 are closed.

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Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

kpl/drm

To

1. The Secretary
Tourism, Culture and Religious Endowment Department
Fort St. George, Chennai 600 009.
2. The Commissioner
Hindu Religious and Charitable Endowment Department
Nungambakkam High Road, Chennai.
3. The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Erode.
4. The Assistant Commissioner
Hindu Religious and Charitable Endowment Department
Erode.

+1cc to the Government Pleader, S.R.No.14851

W.A.No.441 of 2022

RSI (CO)
SU(14/03/2022)