



W.P. No. 29008 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 29008 of 2022

and

W.M.P. No. 28292 of 2022

1. P.Appavu Mudaliar
2. Govindasamy Mudaliar

... Petitioners

-VS-

1. The Commissioner
Hindu Religious and Charitable Endowment Department
Mahatma Gandhi Road
Nungambakkam
Chennai.
2. The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Villupuram
Villupuram District.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowment Department
Villupuram
Villupuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to appoint the Second Petitioner as Hereditary Trustee for Sri Varadharaja Perumal Temple, Vanur, Vanur Village and Taluk, Villupuram District after relieving the First Petitioner from the post of Hereditary Trustee for the Sri



W.P. No. 29008 of 2022

Varadharaja Perumal Temple and grant such other relief may deem fit and proper under the circumstances of the case.

For Petitioners : Mr. R.Rajarajan

For Respondents : Mr. N.R.R.Arun Natarajan
Special Government Pleader

ORDER

Heard Mr. R.Rajarajan, Learned Counsel for the Petitioners and Mr. N.R.R.Arun Natarajan, Learned Special Government Pleader who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioners that the First Petitioner has made a representation dated 16.08.2022 before the Second Respondent viz., Joint Commissioner, Hindu Religious and Charitable Endowment Department, Villupuram District for appointment of the Second Petitioner as Hereditary Trustee after relieving the First Petitioner from the post of Hereditary Trustee of Sri Varadharaja Perumal Temple, Vanur, Vanur Village and Taluk, Villupuram District, but as no action has been taken thereon, they have filed this Writ Petition.



W.P. No. 29008 of 2022

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3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the application dated 16.08.2022 made by the Petitioners including ascertaining as to whether the Petitioners would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioners requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioners to explain their position in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.01.2023 under written acknowledgment.



W.P. No. 29008 of 2022

4. In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

03.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 30.11.2022.

To

1. The Commissioner
Hindu Religious and Charitable Endowment Department
Mahatma Gandhi Road
Nungambakkam, Chennai.
2. The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Villupuram, Villupuram District.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowment Department
Villupuram, Villupuram District.



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W.P. No. 29008 of 2022

P.D. AUDIKESAVALU, J.

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W.P. No. 29008 of 2022

03.11.2022