

W.A.(MD) Nos.589 & 686 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.A.(MD) Nos.589 & 686 of 2019
and
C.M.P.(MD) Nos.4812 & 6054 of 2019**

W.A.(MD) No.589 of 2019:

M.Chinnadurai

... Appellant

-VS-

1.The Joint Commissioner
Hindu Religious and
Charitable Endowment Board
Sivagangai

2.The Assistant Commissioner
Hindu Religious and
Charitable Endowment
Sivagangai

3.R.Karuppasamy

... Respondents

W.A.(MD) Nos.589 & 686 of 2019

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 27.04.2019, passed in W.P.(MD) No.10481 of 2019, on the file of this Court.

For Appellant : Ms.Porkodi Karnan
for M/s.Polax Legal Solutions

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1 & R2
Mr.Solaisamy for R3
Mr.V.Chandrasekar for Fit Person

W.A.(MD) No.686 of 2019:

M.Chinnadurai

... Appellant

-vs-

- 1.The Joint Commissioner
Hindu Religious and
Charitable Endowment
Sivagangai
- 2.The Assistant Commissioner
Hindu Religious and
Charitable Endowment
Virudhunagar District
- 3.P.G.Balaguru
- 4.R.Karuppasamy
- 5.S.Archunan

6.M.Ramraj

7.S.Venkatraju

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 20.03.2019, passed in W.P.(MD) No.12185 of 2017, on the file of this Court.

For Appellant : Ms.Porkodi Karnan
for M/s.Polax Legal Solutions

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1
Mr.V.Chandrasekar for R2
Mr.M.Solaisamy for R3 & R4
Mr.G.Aravindan for R5
No appearance for R6 & F7

C O M M O N J U D G M E N T

[Judgment of the Court was made by R.MAHADEVAN, J.]

The appellant, who belongs to one of the eight communities administering Sri Mariamman Temple, Thiruthangal, Virudhunagar District, has preferred W.A.(MD) No.589 of 2019 against the order dated 27.04.2019 passed in W.P.(MD) No.10481 of 2019 and W.A.(MD) No.686 of 2019 against the order dated 20.03.2019 passed in W.P.(MD) No.12185 of 2017.

2. The issue involved in this matter relates to the mismanagement of the affairs of Sri Mariamman Angala Eswari Temple and Sri Mariamman Temple, both situated at Thiruthangal Municipality, Sivakasi Taluk, Virudhunagar District.

3. Though the appellant has attacked the orders passed by the Writ Court on several grounds, it is seen that the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Virudhunagar, has filed an Enquiry Report, pursuant to the directions issued by this Court *vide* order dated 28.09.2021. Hence, based on the said Enquiry Report, the authority concerned has to pass final orders in this matter.

4. Accordingly, the Joint Commissioner, Hindu Religious and Charitable Endowment Department, Madurai, as agreed by the both parties, based on the Enquiry Report of the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Virudhunagar, is directed to pass orders on merits and in accordance with law, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ appeals are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [J.S.N.P., J.]

28.11.2022

Index : Yes / No

Internet : Yes / No

Note to Office:

Mark a copy to the Joint Commissioner,
Hindu Religious and Charitable
Endowment Department, Madurai.

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To:

- 1.The Joint Commissioner,
Hindu Religious and
Charitable Endowment Board,
Sivagangai.
- 2.The Assistant Commissioner,
Hindu Religious and
Charitable Endowment,
Sivagangai.

W.A.(MD) Nos.589 & 686 of 2019

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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W.A.(MD) Nos.589 & 686 of 2019
and
C.M.P.(MD) Nos.4812 & 6054 of 2019

28.11.2022