



W.P.(MD)No.15364 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.15364 of 2022

and

WMP(MD) No.11017 of 2022

C.Palanisamy

.. Petitioner

Vs

1. The Tahsildhar
Taluk Office, Natham Taluk
Dindigul District
2. The Joint Commissioner
Hindu Religious and Charitable
Endowments Department,
Madurai.
3. The Assistant Commissioner
Hindu Religious and Charitable
Endowments Department,
Dindigul
4. The Inspector of Police
Natham Police Station
Natham, Dindigul District.
5. Palanisamy
6. C.Muthaiah
7. Muthusamy

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to terminate the respondents 5 to 7 on the basis of our agreement before the second respondent dated 13.12.2012.

For Petitioner	: Mr.V.Karuna
For Respondents	: Mr.M.Lingadurai
No.1 to 4	Special Government Pleader

ORDER

This Writ Petition has been filed to direct the second respondent to terminate the respondents 5 to 7 on the basis of the agreement before the second respondent dated 13.12.2012.

2. The petitioner has sent representation dated 04.07.2022 referring to the agreement entered into between the petitioner and Muthiah, Palanichamy and Muthusamy dated 13.12.2012 before the Joint Commissioner, HR and CE Department. In the agreement it was agreed that these four persons will be the hereditary trustee annually for Arulmighu Karanthamalaiaimman Ayyanar Thirukovil, Muthukaruppannaswami Thirukovil, Karaimman, Malaiaimman. Once in



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three years, the festival will be conducted. As per the agreement, each year Trusteeship will devolve on them and at that time of festival who hold the post of the hereditary trustee will conduct the festival. This year, though it is the turn of the petitioner, the other three Trustees keeping away the petitioner are making arrangement for conducting the festival. Further in the agreement it was recorded if there is any violation, this agreement of hereditary trustee will be automatically cancelled. Now the other Trustees violated the undertaking, hence they are not entitled to any Trusteeship.

3. The learned counsel appearing for the respondents 1 to 4 would submit that in the representation sent by the petitioner there is no reference about the date of the festival, what arrangements are being made by other Trustees, nothing is provided. In any event, the representation of the petitioner would be enquired through the Inspector of Police, HR and CE Department, obtain a report, thereafter appropriate orders will be passed in accordance with law.



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4. In view of the above submission, this Court directs the second respondent to consider the representation of the petitioner dated 04.07.2022 take steps, cause enquiry and thereafter pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently connected miscellaneous petition is closed.

15.07.2022

Index: Yes/No
Internet : Yes/No
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To

1. The Tahsildhar
Taluk Office, Natham Taluk
Dindigul District
2. The Joint Commissioner
Hindu Religious and Charitable
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3. The Assistant Commissioner
Hindu Religious and Charitable

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Endowments Department,
Dindigul

4. The Inspector of Police
Natham Police Station
Natham, Dindigul District.



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M.NIRMAL KUMAR, J.

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