



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.20865 of 2019

and

W.M.P. (MD) Nos.17449 and 17450 of 2019

WEB COPY

R.Chinnaiah Ambalam

... Petitioner

/vs./

1.The Government of Tamil Nadu,
through its Secretary,
Tamil Development Culture and Religious Endowment
Department,
Fort Street, George,
Chennai 600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowments,
Uttamar Gandhi Salai,
Nungambakkam,
Chennai 600 034.

3.The Joint Sub Registrar,
Office of Registration Office,
Muthupattinam,
Karaikudi Taluk,
Sivagangai District.

4.K.Lakshmanan

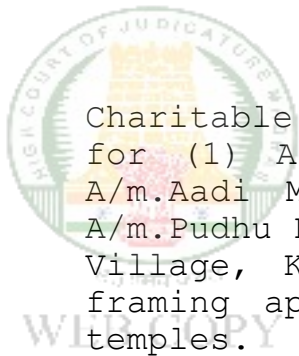
5.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Paramakudi.

6.The Inspector,
Hindu Religious and Charitable
Endowment Department,
Karaikudi.

... Respondents

(R5 and R6 have been *suo motu*
impleaded vide order dated 17.03.2020.)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to exercise powers vested in them under HR and CE Act 1959 under Section 3 and to notify and take over the management of



Charitable Endowment Trust (Viz Kandanoor Nattar Unregistered Trust) for (1) A/m Karpaga Vinayagar Temple, (2) A/m.Iyyanar Kovil (3) A/m.Aadi Maruthu Natarajar Kovil (4) A/m.Mariamman Koil and (5) A/m.Pudhu Kandanoor Narthana Vinayagar Koil all situate in Kandanoor Village, Karaikudi Taluk, Sivagangai District for the purpose of framing appropriate scheme of management for the said trust and temples.

For Petitioner : Mr.N.Mohideen Basha for
Mr.M.Shakul Hameed
For R1 to R3, R5 & R6 : Mr.P.Subbaraj
Special Government Pleader
For R4 : Mr.K.Balasundharam

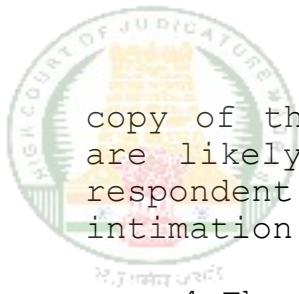
ORDER

This writ petition has been filed for a Mandamus to direct the respondents to exercise the power vested with them under the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and to notify and to take over the management of Charitable Endowment Trust (Viz Kandanoor Nattar Unregistered Trust) for (1) A/m Karpaga Vinayagar Temple, (2) A/m.Iyyanar Kovil (3) A/m.Aadi Maruthu Natarajar Kovil (4) A/m.Mariamman Koil and (5)A/m.Pudhu Kandanoor Narthana Vinayagar Koil all situate in Kandanoor Village, Karaikudi Taluk, Sivagangai District for the purpose of framing appropriate scheme of management for the said trust and temples.

2.The 2nd respondent has filed a counter affidavit, wherein it has been stated as under:-

"8.I respectfully submit that soon after receiving the preliminary report from the Inspector of HR & CE Department Karaikudi, the Assistant Commissioner, HR & CE, Department Paramakudi has sent a detailed report to the 2nd respondent on 24.07.2020 to bring the temples under the Superintendence of the HR & CE, Department to regulate the management of the temple and to safeguard the temple properties. It is further submitted that the proposal to bring the aforesaid temples under the control of the HR & CE Department is under active consideration of the 2nd respondent and the due process should be followed in this regard and hence the prayer of the petitioner has been fulfilled by following due procedure by the 2nd respondent. Therefore, nothing survives in this writ petition and hence, the writ petition may be dismissed in limine."

3.Since the issue is now under the active consideration of the 2nd respondent, I am inclined to dispose of this writ petition by directing the 2nd respondent to consider and pass appropriate orders on the representation of the petitioner and in the pending proceedings within a period of 6 weeks from the date of receipt of a



copy of this order. It is needless to state that all parties, who are likely to be affected by the orders to be passed by the 2nd respondent pursuant to the aforesaid proceeding, shall be given due intimation before such orders are passed.

4.The writ petition stands disposed of, accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mm

To

- 1.The Secretary,
The Government of Tamil Nadu
Tamil Development Culture and Religious Endowment
Department,
Fort Street, George,
Chennai 600 009.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments,
Uttamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 3.The Joint Sub Registrar,
Office of Registration Office,
Muthupattinam,
Karaikudi Taluk,
Sivagangai District.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi.
- 5.The Inspector,
Hindu Religious and Charitable Endowment Department,
Karaikudi.

+2 CC to M/s.M.SHAKUL HAMEED, Advocate (SR-11442[F]
dated 11/03/2022)

+1 CC to M/s.SPL GP (SR-11201[F] dated 10/03/2022)

W.P. (MD) No.20865 of 2019
09.03.2022

svn(CO)GC(23.03.2022) 3P 9C

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