



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.02.2022
CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

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Writ Petition (MD) No.13241 of 2018
and
W.M.P. (MD) No.12076 of 2018

S.Ponnupandian

.. Petitioner

Versus

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Tourism, Culture and Charitable Department,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner of Hindu Religious and Charitable Endowment,
O/o. the Commissioner of Hindu Religious and Charitable
Endowment,
Nungambakkam,
Chennai - 34.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai Division,
Madurai - 625 001.
- 4.The Fit Person,
Arulmigu Pandi Muneeswarar Temple,
Melamadai,
Madurai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to register the petitioner as Hereditary Trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai District, as next in the line of succession as per Section 54 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and consequently, to remove the fourth respondent from the post of Fit Person of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai District, within the time period to be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil
For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader



ORDER

The petitioner has filed this Writ Petition for a Mandamus, directing the third respondent to register the petitioner as Hereditary Trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai District, as next in the line of succession as per Section 54 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and consequently, remove the fourth respondent from the post of fit person of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai District, within a stipulated period to be stipulated by this Court.

2.The learned counsel for the petitioner submits that relief sought for by the petitioner has now worked out in terms of the decision of the Hon'ble Supreme Court, dated 29.01.2020, made in Civil Appeal No.803 of 2020 filed by one Saravana Pandian. In this connection, the following passages from the Hon'ble Supreme Court order is referred to.

'In the meanwhile, pending decision on the show cause notices, we consider it appropriate that a Committee of the following persons shall manage the temple and trust instead of the Executive Officer:

- (1) Mrs.R.Lakshmi, W/o.Mr.Raja Poosari*
- (2) Mr.Ponnu Pandian, S/o.Mr.Sivaji Poosari*
- (3) Mr.Jayaveera Pandi, S/o.Mr.V.K.Pandian*
- (4) Mr.Rajesh Pandi, S/o.Mr.Ramesh Poosari*
- (5) Mr.Rishi Pandi, S/o.Mr.Pandiarajan''*

3.Considering the above, this Writ Petition is closed as no further order is required for the present. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary,
Tourism, Culture and Charitable Department,
Fort St. George,
Chennai - 600 009.



2.The Commissioner of Hindu Religious and Charitable Endowment,
O/o. the Commissioner of Hindu Religious and Charitable
Endowment,
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3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai Division,
Madurai - 625 001.

4.The Fit Person,
Arulmigu Pandi Muneeswarar Temple,
Melamadaï,
Madurai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-6084[F] dated 15/02/2022)

+1 CC to M/s.SPL GP (SR-5992[F] dated 14/02/2022)

WP (MD) No.13241 of 2018
11.02.2022

SJ(CO)

GC(10.03.2022) 3P 7C