



W.P.(MD)No.23808 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.10.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.23808 of 2022

AL.AR.SM.Narayanan Chettiar,
S/o.AL.AR.Somanathan Chettiar,
Palace,
Devakottai,
Sivagangai District.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious & Charitable
Endowment Department
Nungampakkam,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department
Sivagangai.
- 3.The Deputy Commissioner,
Hindu Religious & Charitable
Endowment Department,
Paramakudi,
Ramanathapuram District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the 3rd respondent to recommend the petitioner for the post of hereditary trustee of Ramanathasamy Devasthanam, Rameswaram and consequently direct the 1st respondent to consider the candidature of the petitioner for the above said post in the light of the Will dated 18.11.1899 and scheme framed in O.S.No. 323 of 1910 on the file of the Sub Court, Ramnad modified in A.S.No.31 of 1912 on the file of the Principal Seat of this Court by considering the representation of the petitioner dated 24.06.2022.

For Petitioner :Mr.A.Mohan
For Respondent :Mr.P.Subbaraj
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, to direct the 3rd Respondent to recommend the petitioner for the post of Hereditary Trustee of Ramanathasamy Devasthanam, Rameswaram as per Will dated 18.11.1899.



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2. It is submitted by the learned counsel for the petitioner that Arulmigu Sri Ramanathaswami Temple at Rameswaram and other minor temple and shrines thereto are governed by the Scheme framed in O.S.No. 323 of 1910 on the file of the Sub Court, Ramnad, which was modified by this Court in A.S.No.31 of 1912. As per Clause 3 of the said Scheme, Rameswaram Devasthanam a Committee comprising of five members and to be known as Rameshwaram Devasthanam Committee was to be constituted/formed.

3.The appointment of hereditary trustee for Rameswaram Devasthanam Committee shall consist of a member of the family of Sethupathy, Raja's of Ramnad and descendants of AL.AR.Ramasamy Chettiar family. AL.AR.Ramasamy Chettiar had executed a registered Will on 18.11.1899, whereby, it is clearly mentioned that the property belongs to Devakottai Zamindhar family and is to be maintained by the eldest male person of the family (Karthi) by acquiring Zamindhar title. As such, the petitioner was appointed as Hereditary Trustee by the proceedings of Hindu Religious & Charitable Endowment Department vide G.O.No.584 dated



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15.09.2009. While so, the tenure of the existing Managing Committee of the Ramanathaswami Temple Devasthanam got over/expired. The petitioner submitted a representation to the 3rd respondent on 24.06.2022 to nominate him as the hereditary trustee in the said Committee and also enclosed the copies of the Will dated 18.11.1899 and G.O.No.584 dated 15.09.2009.

4. Mr.P.Subbaraj, learned Special Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 24.06.2022 would be considered on merits and in accordance with law, within a time frame that may be fixed by this Court.

5. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first respondent/ the Commissioner, Hindu Religious & Charitable Endowment Department, to consider the petitioner's representation dated 24.06.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to the petitioner other stake holders/interested parties, if any. It



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is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

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Index : Yes / No

Speaking Order : Yes / No

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To

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MOHAMMED SHAFFIQ, J.

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