



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.04.2022
CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

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Writ Petition (MD) No.11903 of 2017
and
W.M.P. (MD) Nos.9164, 9165 & 10420 of 2017

D.K.Raguraman

.. Petitioner

Versus

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

2.The Executive Officer,
Arulmighu Swayambu Saneeswara Bhagavan Thirukoil,
Kuchanur, Uthamapalayam Taluk,
Theni District.

3.The Fit Person,
Arulmighu Swayambu Saneeswara Bhagavan Thirukoil,
Kuchanur, Uthamapalayam Taluk,
Theni District.

.. Respondents

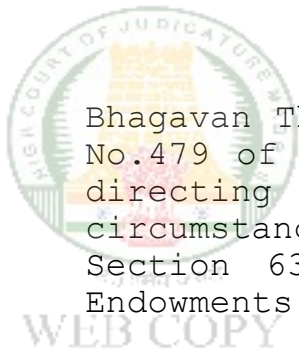
Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records of the impugned order passed by the third respondent in Se.Mu.Na.Ka.Nil, dated 13.06.2017 and quash the same as illegal.

For Petitioner	:	Mr.M.Kannan
For R1	:	Mr.P.Subbaraj
		Special Government Pleader
For R2 & R3	:	No Appearance

ORDER

This Writ Petition has been filed to quash the impugned order dated 13.06.2017, passed by the third respondent.

2.It is the specific case of the petitioner that a Resolution was passed on 12.07.2010, by the erstwhile Board of Trustees. Under these circumstances, the petitioner, who was officiating as Poojari in Sonai Karuppanasamy Sannathi at Arulmighu Swayambu Saneeswara



Bhagavan Thirukoil, approached this Court by way of filing W.P.(MD) No.479 of 2011 and that an order came to be passed on 04.07.2011, directing the first respondent to conduct enquiry. Under these circumstances, the petitioner appears to have filed a petition under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 before the first respondent.

3.It is the further case of the petitioner that there is an interim order passed by the first respondent - Joint Commissioner and till date, the said order has not been disturbed or vacated. While so, the impugned order dated 13.06.2017, seeking to oust the petitioner as Poojari is liable to be quashed.

4.The learned counsel for the petitioner submits that till date, the petitioner is officiating as Poojari in Sonai Karuppanasamy Sannathi at Arulmighu Swayambu Saneeswara Bhagavan Thirukoil.

5.The learned Special Government Pleader for the first respondent submits that the application in O.A.No.14 of 2011 filed by the petitioner will be disposed of as expeditiously as possible.

6.Considering the above said submission made by the learned Special Government Pleader for the first respondent, I am inclined to quash the impugned order dated 13.06.2017 of the third respondent, by directing the first respondent to pass appropriate orders in O.A.No.14 of 2011 within a period of eight weeks from the date of receipt of a copy of this order. The rights of the petitioner to continue as Poojari in Sonai Karuppanasamy Sannathi at Arulmighu Swayambu Saneeswara Bhagavan Thirukoil, will be subject to the final outcome of the order to be passed by the first respondent in O.A.No.14 of 2011.

7.This Writ Petition stands allowed in terms of the above observation. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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To

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

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+1 CC to M/s.SPL.GP. (SR-18943[F] dated 18/04/2022)

WP (MD) No.11903 of 2017
13.04.2022

SRR(CO)

GC(06.05.2022) 3P 3C