



WEB COPY



W.P.Nos.6326, 6328, 6332 & 6333 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.03.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.6326, 6328, 6332 & 6333 of 2023
and W.M.P.Nos.6358, 6359, 6361, 6362, 6366, 6368, 6370 & 6371 of 2023

1.G.Arasukumar
2.D.Mohankumar

.. Petitioners in all W.Ps.

Versus

1.The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Nungambakkam, Chennai – 600 034

2.The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department
Paadi, Chennai – 600 050

.. Respondents in all W.Ps.

Prayer in all Writ Petitions :

The Writ Petitions are filed under Article 226 of the Constitution of India, calling for the records relating to the impugned order dated 28.12.2022 made in Na.Ka.No.4270/2021/Aa2 issued by the 2nd respondent, quash the same and consequently forbear the respondents from interfering with the Thondai Mandala Aadisaiva Vellalar Communities right of administration of A/m.Kalasathamman Temple, Erukkancheri, Tondiarpet Taluk, Chennai District.

For Petitioner in all W.Ps. : Mr.N.Manokaran

For Respondents in all W.Ps. : Mr.N.R.R.Arun Natarajan for R1 & 2
Special Government Pleader



W.P.Nos.6326, 6328, 6332 & 6333 of 2023

COMMON ORDER

The prayer as sought for in both the writ petitions are similar in nature and directed against the very same respondents, both the writ petitions are heard together and disposed of by common order.

2. These Writ Petitions have been filed challenging the impugned notice issued by the respondent inviting application for appointment of Non-hereditary trustees to the petitioners' temple.

3. The main challenge is made that without their being declaring the institution as religious institutions under Section 64 of the Hindu Religious and Charitable Endowment Act, the impugned notice has been issued.

4. The learned counsel for the petitioner would submit that the impugned notice is the second notice in respect of similar notice issued earlier. The Revision has already been filed and the same has not been taken on file. That apart, their claim filed under Section 64 (1) of the Act, as against which a Revision is also filed in O.A.No. 5 of 2009 and the same is pending before the first respondent / Joint Commissioner. Hence, it is the main challenge that without any decisions in the above O.A, the impugned notice ought not to have



W.P.Nos.6326, 6328, 6332 & 6333 of 2023

7. Since, the above O.A., and Revisions are inter-connected and involving the rights of the parties, both should be decided within a period of three months from the date of receipt of a copy of this Order.

8. With the above directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

01.03.2023

Neutral Citation : Yes/No
Speaking/Non Speaking order : Yes/No
Index : Yes/No
dhk

To

1.The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Nungambakkam, Chennai – 600 034

2.The Assistant Commissioner
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W.P.Nos.6326, 6328, 6332 & 6333 of 2023

N.SATHISH KUMAR, J.

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W.P.Nos.6326, 6328, 6332
& 6333 of 2023

01.03.2023
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