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Contempt Petition No. 583 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

Contempt Petition No. 583 of 2023

Arulmigu Aayee Amman Venduva Kula Trust,
(Kongu Velalar), (Regn. No. 387/1999),
Rep. by its Secretary M. Selvaraju,
No. 4/11, Thiruppur Cotton Spinning & Weaving
Mill Compound,
PN Road, Thiruppur,
Thiruppur District – 641602.

... Petitioner

-VS-

1. J.Kumra Gurubaran, I.A.S.,
The Commissioner,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai – 600034.

2. C.Kumaradurai,
The Joint Commissioner,
Hindu Religious & Charitable Endowments,
Thiruppur,
Thiruppur District.
Respondents

...

Prayer:- Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the Respondents for willfully and wantonly disobeying the order of this Court dated 28.11.2022 in W.P. No. 31715 of 2022.



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For Petitioner : Mr. K.Selvaraj
For Respondents : Mr. K.Karthikeyan,
Government Advocate (HR & CE)

ORDER

Heard Mr. K.Selvaraj, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate (HR & CE) takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had filed the Writ Petition in W.P. No. 31715 of 2022 for directing the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Thiruppur, Thiruppur District and the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Thiruppur, Thiruppur District to appoint the persons recommended by the Trust of the Petitioner in its letter dated 18.10.2022 as Non-Hereditary Trustees of the Temple, viz., Arulmigu Aayee Amman Temple in Thiruppur District.



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3. This Court in the order dated 28.11.2022 disposed that Writ Petition, after recording the memo dated 28.11.2022 filed by the Learned Special Government Pleader(HR & CE) appearing for the Respondents, in which it is stated as follows:-

“ It is submitted that the appointment of Non Hereditary Trustees for Arulmigu Aayee Amman Temple, Pappampalayam Village, Sarkar Kathanganni Village, Uthukuli Taluk, Tiruppur will be done strictly as per the scheme decree framed as per the order of the Joint Commissioner, HR & CE Department, Tiruppur in O.A. No. 35 of 2000/B1 dated 21.02.2007.

Pursuant to the application received for appointment of Non Hereditary Trustees, the Joint Commissioner, HR & CE Department, Tiruppur by communication dated 12.07.2022 directed the Inspector, HR & CE Department, Uthukuli to verify the application and submit the report. Pursuant to the same the Inspector, HR & CE Department, Uthukuli has submitted the report on 19.10.2022 and it has been pending



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before the Joint Commissioner, HR & CE Department,

Tiruppur for appointment of Non Hereditary Trustees.

It is submitted that the process for appointment of Non Hereditary Trustees for Arulmigu Aayee Amman Temple, Pappampalayam Village, Sarkar Kathanganni Village, Uthukuli Taluk, Tiruppur will be completed within a period of eight weeks.”

4. In this Contempt Petition it is stated by the Petitioner that the Respondents had not carried out the undertaking made before this Court by them.

5. It is brought to the notice of the Court that by proceedings dated 13.01.2023, the Second Respondent has passed orders in the matter and its copy has been placed on record.

6. In such circumstances, nothing remains for further consideration in the Contempt Petition, but it would not preclude the Petitioner, if they still has any



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further grievance, to work out their remedies in the manner recognized by law.

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In fine, the Contempt Petition is closed with the aforesaid clarification.

No costs.

16.03.2023

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Index: Yes / No

Neutral Citation : Yes / No

Note: Issue order copy by 27.06.2023.

To

1. The Commissioner,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai – 600034.
2. The Joint Commissioner,
Hindu Religious & Charitable Endowments,
Thiruppur,
Thiruppur District.



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P.D. AUDIKESAVALU, J.

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