



WEB COPY

WP No.8292 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 05-04-2023**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**WP No.8292 of 2023**

V.Radhakrishnan

... Petitioner

Vs.

- 1.The Commissioner,  
Hindu Religious and Charitable Endorsement Board,  
Nungambakkam,  
Chennai-600 034.
- 2.The Joint Director,  
Hindu Religious and Charitable Endorsement Board,  
Kanchipuram.
- 3.The Assistant Director,  
Hindu Religious and Charitable Endorsement Board,  
Kanchipuram.
- 4.The Revenue Divisional Officer,  
Kanchipuram.
- 5.The Special Tahsildar (Temple Properties),  
Hindu Religious and Charitable Endorsement Board,  
Kanchipuram.



6. The Executive Officer,  
Arulmighu Subramania Thirukkivil Kumarakottam,  
Hindu Religious and Charitable Endorsement Board,  
Kanchipuram.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first and second respondents to hand over charges to the petitioner to administer the two Mutts name, (1) Thiruvengiriswamiyar Madam and (2) Vedhagiriswamiyar Madam situated at No.22-A, 22-B, Madam Street, Kanchipuram, as per the Will executed by the last Madathipathi Karunaiprakasa Swamigal in favour of the petitioner dated 29.12.1994 registered as Document No.111/1994, on the file of Joint Sub Registrar II, Chidambaram and as per the petitioner's representation to the first respondent dated 12.05.2022.

For Petitioner : Mr.G.K.Sekar

For Respondents-1,2,3,5 and 6 : Mr.K.Karthikeyan,  
Government Advocate.

For Respondent-4 : Ms.S.Mythreye Chandru,  
Special Government Pleader.

### **ORDER**

The relief sought for in the present writ petition is to direct the first and second respondents to hand over charges to the petitioner to administer the two Mutts name, (1) Thiruvengiriswamiyar Madam and (2)



Vedhagiriswamiyar Madam situated at No.22-A, 22-B, Madam Street, Kanchipuram, as per the Will executed by the last Madathipathi Karunaiprakasa Swamigal in favour of the petitioner dated 29.12.1994 registered as Document No.111/1994, on the file of Joint Sub Registrar II, Chidambaram and as per the representation submitted by the petitioner to the first respondent on 12.05.2022

2. The learned Government Advocate, appearing on behalf of the respondents 1, 2, 3, 5 and 6 and the learned Special Government Pleader appearing on behalf of the fourth respondent have brought to the notice of this Court that the petitioner has already submitted an appeal before the Joint Commissioner, Kancheepuram, who in turn commenced the enquiry proceedings based on the appeal filed by the petitioner.

3. The disputed issues are to be decided by the Competent Authorities based on the documents and evidences and the High Court cannot entertain such litigations under Article 226 of the Constitution of India.



4. The petitioner, since approaching the Joint Commissioner, Kancheepuram for adjudication of issues, he is at liberty to participate in the enquiry proceedings in the manner known to law and the Authorities Competent are bound to afford an opportunity to all the parties concerned and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

5. With the abovesaid observations, the writ petition stands disposed of. However, there shall be no order as to costs.

**05-04-2023**

Index : Yes/No  
Internet: Yes/No  
Speaking order/Non-Speaking order  
Neutral Citation : Yes/No  
Svn



To

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3. The Assistant Director,  
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4. The Revenue Divisional Officer,  
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5. The Special Tahsildar (Temple Properties),  
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**S.M.SUBRAMANIAM, J.**

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