



W.A.No.1031 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.1031 of 2023

M.A.Varadarajan

.. Appellant

Vs.

1. The Commissioner
HR & CE Department
Nungambakkam
Chennai 600 0034.
2. The Joint Commissioner
Madras Division II
HR & CE Department
130, R.K. Mutt Road
Mylapore, Chennai 600 004.
3. The Deputy Commissioner
HR & CE Department
127, Yadaval Street
Padi, Chennai 600 050.
4. A/M Sri Parthasarathy Swamy Temple
Rep. by the Executive Officer
Chennai 600 005.

.. Respondents

Page 1 of 5



W.A.No.1031 of 2023

WEB COPY

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 03.02.2023 made in W.P.No.2885 of 2023.

For the Appellant : Mrs.Hema Sampath
Senior Counsel
For Ms.R.Meenal

For the Respondents : Mr.R.Shunmugasundaram
Advocate General
Assisted by
Mr.N.R.R.Arun Natarajan
Special Government Pleader &
Ms.A.G.Shakeena
for Respondents 1 to 3

Mr.R.Bharanidharan
for Respondent 4

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The order of the learned Single Judge is assailed.

2. We have heard learned Senior Counsel for the appellant, learned Advocate General for the respondents 1 to 3 and learned counsel for the fourth respondent.



W.A.No.1031 of 2023

WEB COPY

3. Learned Senior Counsel for the appellant submits that as per the Scheme of the Trust, the trustees shall be selected from among the Thengalai Srivaishnava persuasion of the Hindu community. The notification issued for the selection of non-hereditary trustees is not in tune with Clause (3) of the Scheme. The notification does not say that three non-hereditary trustees would be selected from the persons of Thengalai Srivaishnava sect.

4. Learned Advocate General submits that only persons from Thengalai Srivaishnava persuasion of the Hindu community have made applications and would be appointed. Pursuant to his instructions, he has made the said statement before the learned Single Judge and the same has been recorded.

5. Learned Advocate General has again made a statement that persons from Thengalai Srivaishnava persuasion of the Hindu community have only applied and they would only be considered for appointment for the post of non-hereditary trustees.

Page 3 of 5



W.A.No.1031 of 2023

WEB COPY

6. In view of that statement, no further orders are necessary. Accordingly, the writ appeal is disposed of. There will be no order as to costs. Consequently, CMP No.10293 of 2023 is closed.

(S.V.G., CJ.) (P.D.A., J.)
01.06.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(kpl)

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