



W.P.No.12926 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.12926 of 2023
and WMP No.12711 of 2023

C.Govinthasami

...Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Salai,
Thousand Lights West, Nungambakkam,
Chennai 600 034
2. The Joint Commissioner,
Office of the Joint Commissioner (Admin),
Hindu Religious and Charitable and Endowments,
Thiruvannamalai.
3. The Assistant Commissioner,
Office of the Assistant Commissioner,
Hindu Religious and Charitable and Endowments,
Krishnagiri - 605 602
4. The Inspector,
Hindu Religious and Charitable and Endowments,
Pochampalli, Krishnagiri - 605 602



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...Respondents

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Prayer :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to number the original application No.Nil dated 27.03.2022 on the file of 2nd respondent submitted by the petitioner and dispose of the original application on merits within a stipulated time.

For Petitioner : Mr.M.Saravana Kumar
For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to deal with the application filed by the petitioner wherein the petitioner has sought for appointment of hereditary trustee and in the meantime, restraining the 2nd respondent from appointing any non-hereditary trustee at Arulmighu Thimmarayan Swamy Temple.



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2. The learned Additional Government Pleader appearing on behalf of respondents based on the written instructions from the 2nd respondent submitted that the above said temple is presently administered by the fit person appointed under Section 49 (1) of the Hindu Religious and Charitable Endowments Act (hereinafter called as the Act). That apart, the application submitted by the petitioner has been numbered as OS No.6 of 2022 and the notice has already been sent to the petitioner and the case is posted for hearing on 03.05.2023. The learned Additional Government Pleader further submitted that the application filed by the petitioner will be considered on its own merits and in accordance with law and a decision will be taken and in the meantime, non hereditary trustees will not be appointed as apprehended by the petitioner.

3. In the light of the above submission, the apprehension raised by the petitioner has been answered by the 2nd respondent. Hence, it will suffice if a direction is issued to the



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2nd respondent to consider the application filed by the petitioner which is pending in O.S.No.6 of 2022 and deal with the same on its own merits and a decision shall be taken within a period of three months from the date of receipt of a copy of this order.

4. This writ petition is disposed of in the above terms.No costs. Consequently, the connected miscellaneous petition is closed.

26.04.2023

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- To
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