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W.P.No.14737 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.14737 of 2023 and
W.M.P.No.14260 of 2023
and W.M.P.No.17270 of 2023

Saminathan

... Petitioner

-Vs-

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Salai,
Nungambakkam.
2. The Joint Commissioner,
HR & CE Department,
Tirupur District.
3. The Assistant Commissioner,
HR & CE Department,
Tirupur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to dispose of the petition filed under Section 63 of the HR & CE Act and further direct the respondents not to receive applications for appointment of trustee in Arulmigu Kaniappa Masaraiyar Venugopalasamy Temple, Udumalaipettai in connection with proceedings in Na.Ka.No.573-855/2023/A4, dated



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10.03.2023 pending disposal of the petition filed by the petitioner under Section 63 of the HR & CE Act.

For Petitioner : Ms.Abirami for
Mr.V.Srimathi

For Respondents : Mr.K.Karthikeyan,
Government Advocate

ORDER

The Writ Petition has been filed seeking a direction to the 2nd respondent to complete the enquiry and pass final orders in the application filed under Section 63 of the HR & CE Act.

2. According to the petitioner, Arulmigu Kaniappa Masaraiyar Venugopalasamy Temple, Kongal Nagaram, Udumalaipettai Taluk, Tiruppur District was constructed and developed by the ancestors of the petitioner. The Management of the temple has been looked after by the petitioner's family from time immemorial. The petitioner herein has filed a petition before the 2nd respondent viz., the Joint Commissioner, HR & CE Department, Tiruppur District for declaration that the trusteeship of the Arulmigu Kaniappa Masaraiyar Venugopalasamy Temple, Kongal Nagaram is the



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hereditary in nature and the same is not taken up for enquiry till date.

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3. In view of the limited relief sought for by the petitioner, this Court directs the 2nd respondent to consider the petition filed by the petitioner under Section 63 of the HR & CE Act, dated 04.01.2023 and pass appropriate orders on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

4. The Writ Petition is disposed of.

04.07.2023

vum

Index: Yes/No

Speaking order/Non Speaking order

To

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Salai,
Nungambakkam.
2. The Joint Commissioner,
HR & CE Department,
Tirupur District.
3. The Assistant Commissioner,
HR & CE Department,
Tirupur District.

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vum

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