



W.P.No.19775 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.19775 of 2023

S.Thavagurupillai

... Petitioner

VS.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungampakkam, Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
River Side Street,
Cuddalore.

3.The Inspector,
Hindu Religious and Chartiabale
Endowment Department,
Chidambaram.

... Respondents

PRAYER: Writ Petition is filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to dispose of



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the petition dated 06.03.2021 filed by the petitioner under Section 54(1) of Tamilnadu Hindu Religious and Charitable Endowment relating to Arulmigu Thilai Govindaraja Perumal Tirukoil joint with Masimaga Arakkattalai within a time frame as stipulated by this Court.

For Petitioner : Mr.K.Sureshbabu

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

ORDER

This writ petition is filed seeking a direction to the 2nd respondent to dispose of the petition filed by the petitioner dated 06.03.2021 under Section 54(1) of Tamilnadu Hindu Religious and Charitable Endowments Act, 1959.

2. According to the petitioner, his father Seethapathi Pillai acted as a Hereditary Trustee for Arulmigu Kothanda Ramar Tirukoil Pinnathur and Masimaga Kattalai attached to Chidamabram Arulmigu Thillai Govindaraja Perumal Tirukoil. He died in the year 1987. Subsequently, a dispute arose



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with regard to succession to the Trusteeship as one Manimegalai raised rival claim.

3. The dispute with regard to Hereditary Trusteeship culminated by disposal of the second appeal in S.A.No.2122 of 2003 dated 27.04.2015 in favour of the petitioner herein. Therefore, the petitioner filed a petition before the 2nd respondent under Section 54(1) of Tamilnadu Hindu Religious and Charitable Endowments Act, 1959 for recognising him as a Hereditary Trustee of the Temple.

4. The main grievance of the writ petitioner is the petition filed by him under Section 54(1) of Tamilnadu Hindu Religious and Charitable Endowments Act, 1959 has not been considered by the 2nd respondent for nearly two years.

5. In view of the limited prayer made in this writ petition and without given any opinion on the merits of the case, this Court is inclined to direct the petitioner to file a fresh petition before the 2nd respondent within a period of four weeks from the date of receipt of copy of this order. The



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2nd respondent is directed to consider the same and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of such petition.

6. With the above directions, the writ petition is disposed of. No costs.

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Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

WEB COPY

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S.SOUNTHAR, J.

dm

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