



W.P.No.28473 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.28473 of 2014
and M.P.Nos.1 and 2 of 2014
and W.M.P.No.24671 of 2023

1.P.Pachamuthu

2.S.Mani

3.K.Sigamani

4.Seetharaman

5.Sengodan

... Petitioners

VS.

1.The Commissioner,
Hindu Religious and Charitable Endowments,
Administrative Department,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Administrative Department,
Salem.

3.Vaithilingam

4.Muthu

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5.Samikannu

6.Pachamuthu

7.Govindan

8.Kumar

9.Rajendiran

10.Venkatachalam

11.Thangaraju

12.P.Deivayanai

13.Muthu

14.Muthu

15.Murthy

16.R.N.G.Vijayakumar

17.R.Chandra Mohan

18.R.Thillai

19.R.Socrates

20.R.Ravi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to order



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dated 24.06.2014 in A.P.No.53 of 2008/D2 of the Respondents 1 and 2 herein and quash the same.

For Petitioner : Ms.AL.Ganthimathi
Senior Advocate
for Mr.V.Kumaravelan

For R1 and R2 : Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)

For R3 to R15 : Mr.V.Srikanth

ORDER

The writ petition is filed challenging the order of remand passed by the 1st respondent and directing the 2nd respondent to consider the application filed by the writ petitioners under Section 63 (b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 afresh.

2. When the matter is taken up for hearing, the learned Senior Counsel appearing for the petitioners, on instructions from the counsel on record, submits that the petitioners are not having any grievance with regard to the order of remand passed by the 1st respondent and therefore, the 2nd respondent may be directed to dispose of the application filed by the



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petitioner under Section 63 (b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 within time frame.

3. The learned Senior Counsel further submitted that by virtue of interim order granted by this Courts, the petitioners have been continuing in the management of the affairs of the temple in question, therefore, the same position may be directed to be continued.

4. In view of the submission made by the learned Senior Counsel on instructions, this Court is inclined to issue a direction to the 2nd respondent to dispose of the Original Application No.7 of 2001 filed by the petitioners as per the order impugned in this writ petition within a period of four months from 22.09.2023.

5. As far as interim protection prayed by the petitioner is concerned, it is always open to the petitioner to file appropriate application before the 2nd respondent seeking interim protection.



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6. The learned counsel appearing for the petitioner and respondents 3 to 15 submitted that the date may be fixed for first hearing before the 2nd respondent. Therefore, the 2nd respondent is directed to take up the matter for hearing on 22.09.2023 at 2.30 p.m and all the parties are directed to appear before the 2nd respondent/Joint Commissioner on the said date, without expecting any formal notice from the 2nd respondent.

7. With the above directions, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

01.09.2023
(1/2)

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

To

1. The Commissioner,
Hindu Religious and Charitable Endowments,
Administrative Department, Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Administrative Department, Salem.



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S.SOUNTHAR, J.

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