



WEB COPY

W.P.No.20358 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20358 of 2023
and W.M.P.No.19720 of 2023

T.Babu

...Petitioner

Vs.

1.The Commissioner
Hindu Religious and Charitable Endowments Department
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Nagapattinam Region,
No.64/2, Neela South Street,
Nagapattinam-611 001.

3.M.Subramania Pillai
4.T.Ravi @ Vaithyalingam
5.R.Natarajan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to decide the appeals filed in A.P.No.12 of 2023 and A.P.No.13 of 2023.

For Petitioner : Mr.V.Srikanth

For Respondents 1 & 2 : Mr.K.Karthikeyan
Government Advocate(HR &CE)



ORDER

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The writ petitioner has come up with this writ petition seeking direction to the 1st respondent to decide the appeal filed by him in Appeal No.12 of 2023 and Appeal No.13 of 2023 within a time stipulated by this Court.

2. According to the petitioner, Arulmigu Nellukadai Mariamman temple situated at Perumal East Street, Nagapattinam is administered by Hereditary Trustees. The father of the petitioner, who acted as a Hereditary Trustee died on 29.03.2022. The petitioner filed an application before the 2nd respondent for his recognition as Hereditary Trustee under Section 54(1) of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The said application was rejected by the 2nd respondent. Challenging the said order, the petitioner filed an appeal before the 1st respondent in Appeal No.12 of 2023. The 2nd respondent, simultaneously in application filed by the respondents 3 to 5 recorded them as Hereditary trustees. Aggrieved by the same, the petitioner filed an appeal in Appeal No.13 of 2023 before the 1st respondent.

3. The main grievance of the petitioner is that the appeals filed by him before the 1st respondent has not been considered.



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4. Mr.K.Karthikeyan, learned Government Advocate (HR & CE) takes notice for the 1st and 2nd respondents and submits that if any direction is given by this Court to dispose of the appeals, the same will be complied.

5. In view of the limited prayer made by the petitioner, without going into the merits of the case, this Court is inclined to issue a direction to the 1st respondent to dispose of the appeals filed by the petitioner in Appeal No.12 of 2023 and Appeal No.13 of 2023 in accordance with law after giving notice to the 3rd and 5th respondents within a period of sixteen weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

11.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.
nr

To

1.The Commissioner

Hindu Religious and Charitable Endowments Department
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner

Hindu Religious and Charitable Endowments Department
Nagapattinam Region,
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