



WEB COPY



W.P.No.22654 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.22654 of 2023
and W.M.P.Nos.22108 and 22109 of 2023

Kulathudai Maharishi Kothara Spiritual Trust
Represented by its Secretary,
Mr.Poonambalam,
S/o.Mr.Muthu Karupa Chettiar,
No.1/7A, Periyar, Thummankurichi,
Namakkal – 637 003.

... Petitioner

vs.

1.The Commissioner
Hindu Religious and Charitable Endowments
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai – 600 034.

2.The Assistant Commissioner
Hindu Religious and Charitable Endowments
Room No.A215, Government Addl. Office Complex,
District Collectorate, Nallipalayam,
Namakkal – 637 003.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned notice issued by the 2nd Respondent in Na.Ka.No.938.19/2023/A6 dated 03.04.2023 and to quash the same as arbitrary and unreasonable and consequently direct the 2nd Respondent to



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appoint the members of the petitioner's trust namely “Kulathudai Maharishi Kothara Spiritual Trust” as trustees of “Arulmigu Nallakaniamman Thirukovil” situated at Thummankurichi Village, Namakkal Taluk, Namakkal District.

For Petitioner : Mr.K.Balasubramaniam

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

ORDER

The present writ petition is filed challenging the notification issued by the 2nd respondent calling for application for appointment of Non-Hereditary Trustee.

2. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for the respondents, on instructions, submits that in pursuance of the impugned notification, the 2nd respondent has not received any application for appointment to the post of Non-Hereditary Trusteeship before expiry of 30 days limit mentioned in the notification. It is also stated by the learned Special Government Pleader that the 2nd respondent received one application after expiry of time limit prescribed in the notification. Therefore, the same cannot be considered. He further submitted that the 2nd respondent is planning to issue a re-notification calling for application



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3. In case any re-notification is issued by the 2nd respondent for appointment to the post of Non-Hereditary Trustee, it is also open to the petitioner to apply for the appointment of Non-Hereditary Trustee.

4. With the above observation, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

01.08.2023

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

To

1. The Commissioner

Hindu Religious and Charitable Endowments
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Nungambakkam, Chennai – 600 034.

2. The Assistant Commissioner

Hindu Religious and Charitable Endowments
Room No.A215, Government Addl. Office Complex,
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S.SOUNTHAR, J.

dm

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