



W.P.No.23351 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23351 of 2023
and W.P.MP. Nos.22888, 22890, 22894 of 2023

Bysani Venkantaranga

...Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
Nungambakkam, Chennai -600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
127, Yadaval Street, Gopalnagar, Padi
Chennai 600 050.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
127, Yadaval Street, Gopalnagar, Padi
Chennai 600 050.
- 4.The Fit person/Executive Officer,
Tiruneermalai Ranganatha Perumal Kovil,
Tiruneermalai,
Chennai – 600 044.



W.P.No.23351 of 2022

5.Bysani Madhava Chetty's Charity Fund,
Having its office at: No.27,
General Muthiah Mudali Street,
Chennai-600079

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 4th respondent/fit person to immediately release the properties of the Bysani Madhava Chetty's Charity Fund along with a detailed statement of affairs, in accordance with the order passed by the 2nd respondent dated 07.07.2022.

For Petitioner : Ms.Akshaya Ramadurai
for Mr.Rahul Balaji

For Respondents 1 to 4 : Mr.S. Yashwanth,
Additional Government Pleader
(HR &CE)

ORDER

The writ petition is filed seeking direction to 4th Respondent to immediately release the properties of Bysani Madhava Chetty's Charity Fund along with a detailed statement of affairs in accordance with the order passed by 2nd Respondent dated 07.07.2022.



2. The writ petitioner, challenging the very same order passed by the 2nd respondent, filed an appeal in A.P.No.1 of 2023 before the first respondent. This Court by order dated 10.08.2023 in W.P.No. 23357 of 2023 directed the 1st respondent to consider the appeal and pass final orders in A.P.No.1 of 2023 within a period of three months from the date of receipt of copy of that order.

3. A reading of order passed by the 2nd respondent would suggest the second respondent has not issued any positive direction to 4th respondent to hand over the properties of 5th respondent trust to the petitioner. In such circumstances, the prayer sought for by the petitioner cannot be granted at this stage.

4. The learning counsel for the petitioner submitted that the 4th respondent has committed lot of irregularities in administering the trust properties. Therefore, there is an urgent need to direct him to handover the properties of the trust to the Petitioner. If the 4th respondent is found guilty, the same can be brought to the notice of the first respondent in pending appeal filed by the petitioner in A.P.No.1 of 2023. As far as prayer for handing over of



W.P.No.23351 of 2022

the properties of the trust is concerned, the same can also be considered by the 1st respondent in whose file the appeal against the order passed by the second respondent dated 07.07.2022 is pending. Therefore, no further orders are necessary in this writ petition.

5. With these observations, this writ petition is disposed of with liberty to the petitioner to approach the first respondent seeking appropriate direction in the pending appeal. No costs. Consequently, connected miscellaneous petitions are closed.

12.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr



To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
Nungambakkam, Chennai -600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
127, Yadaval Street, Gopalnagar, Padi
Chennai 600 050.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments (Admin) Department
127, Yadaval Street, Gopalnagar, Padi
Chennai 600 050.
- 4.The Fit person/Executive Officer,
Tiruneermalai Ranganatha Perumal Kovil,
Tiruneermalai,
Chennai – 600 044.



WEB COPY



W.P.No.23351 of 2023

S.SOUNTHAR, J.
nr

W.P No.23351 of 2023
and W.P.MP. Nos.22888,22890,22894 of 2023

12.09.2023