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W.P.No.26502 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26502 of 2023

and

W.M.P.Nos.25905, 25907 and 25909 of 2023

T.Murugasamy Goundar

...Petitioner

Vs.

1.The Joint Commissioner,
HR & CE,
Thiruppur.

2.The Inspector,
HR & CE,
Moolanur,
Dharapuram Taluk,
Thiruppur.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to
issu a Writ of Certiorarified Mandamus, to call for records relating to the
impugned proceedings of the second respondent in Na.Ka.No.56/2023 dated
03.04.2023 and quash the same as illegal and consequently direct the first



W.P.No.26502 of 2023

respondent to appoint the petitioner or his family members as the hereditary trustee on the basis of the petitioner's representation dated 31.08.2023.

For Petitioner : Ms.J.Balameenakshi

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Writ Petition is filed challenging the proceedings of the second respondent dated 03.04.2023, calling for certain clarifications from the applicants for appointment to the post of non hereditary trustee in Arulmigu Soundaranayaki Ambal Sametha Pasupatheswara Swamy Temple at Kongur Village, Dharapuram Taluk, Tiruppur.

2. It is the case of the petitioner that he is the hereditary trustee of the above said temple and the second respondent has initiated proceedings for appointment of non hereditary trustee to the temple without recognizing him hereditary trustee.



W.P.No.26502 of 2023

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3. A reading of the impugned proceedings would suggest that in response to the notification calling for the application for appointment of the non hereditary trustee, 10 persons including the petitioner applied for appointment and hence they were called for enquiry for appointment of non hereditary trustee post. When the second respondent called for certain clarification from the applicants, the said proceedings is challenged by the petitioner claiming himself as a hereditary trustee.

4. A copy of the temple invitation dated 20.03.2004 would suggest that even in the year of 2004, a fit person was appointed by the Hindu Religious & Charitable Endowments Department and the temple has been under the direct control of the Hindu Religious & Charitable Endowments Department. The petitioner has not filed any application before the Competent Authority namely first respondent seeking declaration regarding the hereditary nature of the trusteeship of the above said temple. Therefore, this Court is not inclined to interfere with the proceedings of the second respondent.



W.P.No.26502 of 2023

S.SOUNTHAR, J.
dna

5. Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to file an appropriate application for establishing the hereditary nature of the trusteeship before the first respondent, if so advised. 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
dna

To

1.The Joint Commissioner,
HR & CE,
Thiruppur.

2.The Inspector,
HR & CE,
Moolanur,
Dharapuram Taluk,
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W.P No.26502 of 2023
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