



W.P. (MD) No. 4097 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 4097 of 2023

and

W.M.P. (MD) Nos.3934 and 3936 of 2023

Madurai Tallakulam Chinna Chokkikulam Yadavar Trust,
Represented by its Managing Trustee P.Kannan,
having office at 18, Aasari Street,
Tallakulam, Madurai.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam, Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.
- 4.The Thakkar,
Arulmigu Navaneethakrishnan and
Sri Sakkarathalvar Thirukovil,
Present at Arulmigu Madana Gopala Swamy Thirukovil,
Madurai Town.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorari, calling for the records relating to the impugned notification of the third respondent in Na.Ka.No.2630/2021-189/E3 dated 31.12.2022 and quash the same.

For Petitioner	: Mr. H.Arumugam
For R1 to R3	: Mr. P.Subbaraj Special Government Pleader
For R4	: Mr. S.Manohar

ORDER

Heard Mr. H.Arumugam, Learned Counsel appearing for the Petitioner, Mr. P.Subbaraj, Learned Special Government Pleader, who takes notice for the First to Third Respondents and Mr. S.Manohar, Learned Counsel, who takes notice for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the notification of the Third Respondent in Na.Ka.No.2630/2021-189/E3 dated 31.12.2022 by which applications have been called for filling up the vacancies of Trustees in Arulmigu Sri Navaneethakrishnan and Sri Sakkarathalvar Temple situated in T.S. No. 2904,



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Chinna Chokkikulam, Madurai North (hereinafter referred to as 'the Act' for short).

3. This Court by order dated 23.01.2023 in W.P. (MD) No. 23344 of 2022 had directed that the applications in O.A. Nos. 24 and 25 of 2011 and O.A. No.1 of 2023 to be heard together, which includes the relief for framing a scheme for the administration of the Temple. In such circumstances, it shall be incumbent upon the Third and Fourth Respondents to await the outcome of the said proceedings before taking any further action to fill up the vacancies in the post of Trustees of the said Temple. Consequently the impugned notification in Na. Ka. No. 2630 /2021-189/E3 dated 31.12.2022 is set aside and the Fourth Respondent shall take further action depending upon the outcome in the aforesaid proceedings.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

28.02.2023

Index : Yes/No

NCC : Yes /No

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Note : Issue order copy by 23.06.2023.



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P.D. AUDIKESAVALU, J.

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To

- 1.The Commissioner,
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Nungambakkam, Chennai.
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Hindu Religious and Charitable Endowments Department,
Madurai.
- 3.The Assistant Commissioner,
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