



W.P.(MD)No.8484 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.8484 of 2023

P.Kanagamuthuvijayan

... Petitioner

versus

1. The Commissioner,
HR & CE Department,
Chennai.

2. The Joint Commissioner,
HR & CE Department,
Dindigul.

3. The Assistant Commissioner,
HR & CE Department,
Dindigul

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent to register the petitioner's name as hereditary trustee to the Tomb Arulmigu Bharathwasar Maharishi and Arulmigu Mahalingeswarar Maragathavalli Temple and Manikkavalli Amman Temple situated at Thavasimadai, Dindigul District, by considering the petitioner's representation dated 30.01.2022 within the period stipulated by this Court.



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For Petitioner : Mr.M.Mohamed Sherbudeen
For Respondents : Mr.P.Subbu Raj,
Special Government Pleader

ORDER

This writ petition is filed for a Mandamus, directing the respondents to register the petitioner's name as hereditary trustee to the Arulmigu Bharathwasar Maharishi Tomb and Arulmigu Mahalingeswarar Maragathavalli Temple and Manikkavalli Amman Temple situated at Thavasimadai, Dindigul District, by considering the petitioner's representation dated 30.01.2022 within a stipulated time.

2. The learned counsel appearing for the petitioner submits that the petitioner made a representation dated 30.01.2022 requesting the respondents to register his name as Hereditary Trustee to the Temples as mentioned above. However, the same has not been considered so far. Therefore, the petitioner is before this Court.

3. The learned Special Government Pleader appearing for the



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respondents submits that there is a provision available under Section 54(1) of the Tamil Nadu Hindu Religious & Charitable Endowment Act. Therefore, the petitioner can file an application under Section 54(1) of the Act before the second respondent/the Joint Commissioner of HR&CE Department, Dindigul, claiming hereditary trusteeship.

4. In view of the said provision, the petitioner shall file an application under Section 54(1) of Tamil Nadu Hindu Religious & Charitable Endowment Act before the second respondent/the Joint Commissioner of HR&CE Department, Dindigul. If any application is filed by the petitioner, the second respondent/the Joint Commissioner of HR&CE Department, Dindigul, shall consider the same as expeditiously as possible.

5. Accordingly, the writ petition is disposed of. No costs.

13.04.2023

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NCC : Yes / No.



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Index : Yes / No.

Internet : Yes / No.

B.PUGALENDHI, J.

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To

1. The Joint Commissioner,
Kanyakumari District Temples,
Head Office,
Susindram,
Kanyakumari District.
2. The Executive Officer,
Arulmighu Bhagavathiamman Temple,
Kanyakumari District.

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