



WP(MD)No.18991 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.18991 of 2014
and
MP(MD)Nos.3 of 2014, 1 of 2015

1.D.S.A.Sivaprakasam

2.P.V.Pitchumani

3.V.Ponraj

4.P.R.M.Muthuraman

5.P.V.Pooraj

.. Petitioners

v.

1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
Chennai 600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Tirunelveli.

3.The Executive Officer,
Arulmigu Muthalamman Thirukovil,
Mukkudal, Ambasamudram Taluk,
Tirunelveli District.



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4.M.V.S.Rajendranath

.. Respondents

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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order dated 18.08.2014 made in A.P.No.48/2013 D2 on the file of the first respondent confirming the order passed by the second respondent in O.A.No.6/2001 dated 26.08.2013, quash the same and consequently, directing the respondents to settle and notify the scheme of administration relating to Arulmigu Muthumalaiamman Temple situated in Mukkadal Village, Ambasamudram Taluk, Tirunelveli District as per Section 64(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

For Petitioners : Mr.D.Nallathambi

For Respondents : Mr.P.Subburaj,
Special Government Pleader
for R.1 to R.3

Mr.R.Sevugaraja
for R.4



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ORDER

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The petitioners have made a request for modification of the scheme framed for Arulmigu Muthumalaiaimman Temple. The said request was rejected by the Joint Commissioner and as against the same, the petitioners have preferred an appeal before the Commissioner of Hindu Religious and Charitable Endowments Department. It was also rejected and challenging the same, the petitioners have now filed this writ petition.

2.As against the order passed by the Commissioner, Hindu Religious and Charitable Endowments Department, the petitioners ought to have preferred a suit before the competent civil Court u/s.70 of the Hindu Religious and Charitable Endowments Act, instead, they have filed this writ petition.

3.In view of the above position, this writ petition is disposed of with a liberty to the petitioners to file a suit in accordance with Section 70 of the Hindu Religious and Charitable Endowments Act, within a period of three weeks from the date of receipt of a copy of this order, if so advised and to



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work out their remedy in the manner known to law. No costs.

Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

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NCC : Yes / No

Internet : Yes

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To

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Chennai 600 034.

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Tirunelveli.

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B.PUGALENDHI, J.

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