



W.P.(MD).No.18935 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.18935 of 2015
and
M.P.(MD).Nos.2 and 3 of 2015**

1.Thangamuthu Pillai,
President and Board of Trustees of
A/m.Pattalamman Muthiah Swamy Thirukoil,
East Street,
Melmangalam,
Periyakulam,
Theni.

2.Palanimuthu Pandian

3.Sethu @ Sethuramalingam

4.Muthumani Servai

5.Krishnan Konar @ Krishnan

... Petitioners

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment
Administration Department,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.

3.M.Vellaichamy (Died)



W.P.(MD).No.18935 of 2015

WEB 4.R.Danushkodi

5.S.Rasudevar

6.V.Rajaram

7.K.Arjunan (Died)

8.Muthu Irulayee

9.Manjanathi

(R-8 and R-9 substituted for R-3, vide Court Order dated 03.08.2023 in W.M.P.(MD).No.11081 of 2017 in W.P.(MD).No.18935 of 2015)

10.A.Sundar

11.Eswari

12.Amirtham

... Respondents

(R-10 to R-12 substituted for R-7, vide Court Order dated 03.08.2023 in W.M.P.(MD).No.16072 of 2022 in W.P.(MD).No.18935 of 2015)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent dated 07.09.2015 in AP.No.11/2015 D2 and quash the same and consequently forbear the respondents 3 to 7 from interfering in the petitioners' function as per the scheme dated 30.05.1982 framed in O.A.No.8 of 1976 on the file of Deputy Commissioner, Hindu Religious and Endowment, Admn. Department, Madurai.



W.P.(MD).No.18935 of 2015

For Petitioner : Mr.Ajmalkhan,
Senior Counsel.
For Mr.K.Appadurai

For R-1 and R-2 : Mr.S.P.Maharajan,
Special Government Pleader.

For R-4 to R-6 : Mr.S.Madhavan

ORDER

This Writ Petition is filed to quash the order dated 07.09.2015 in A.P.No.11/2015 D2 and consequently forbear the respondents 3 to 7 from interfering in the petitioner's function as per the scheme dated 30.05.1982 framed in O.A.No.8 of 1976, on the file of Deputy Commissioner, Hindu Religious and Endowment, Admn. Department, Madurai.

2. Based on the bifurcation of jurisdiction, the case is pending before the Joint Commissioner, Dindigul of Hindu Religious and Charitable Endowment Department and the case is renumbered as O.A.No.09 of 2021. Since there is no stay in this Writ Petition, pending Writ Petition, the Joint Commissioner of HR and CE proceeded to conduct enquiry and it is in the stage of trial. All the rival claimants are participating in the enquiry. Therefore, the Joint Commissioner, Dindigul is directed to proceed with the enquiry and complete the same and



W.P.(MD).No.18935 of 2015

pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. The period of twelve weeks is only an outer time limit, the Joint Commissioner shall consider and pass orders at the earliest.

3. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

Note: Issue Order Copy on 13.09.2023.

To

1.The Commissioner,
Hindu Religious and Charitable Endowment
Administration Department,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.



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W.P.(MD).No.18935 of 2015

S.SRIMATHY, J.

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W.P.(MD).No.18935 of 2015

11.09.2023