



W.P. (MD) No. 23344 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

CORAM

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

**W.P. (MD) No. 23344 of 2022
and
W.M.P. (MD) No. 17422 of 2022**

Madurai Tallakulam Chinna
Chokkikulam Yadavar Trust,
Rep. by its Managing Trustee
P.Kannan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Madurai.
3. M.Selvakumar
4. M.Muthuramesh



W.P. (MD) No. 23344 of 2022

WEB COPY

5. P.Malaichamy

6. K.Ramachandran

7. C.Ravi

8. The Thakkar,
Arulmigu Navaneethakrishnan and Sri
Sakkarathalvar Thirukovil, Present at
Arulmigu Madana Gopala Swamy Thirukovil,
Madurai Town.

9. P.Sowridoss

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 2nd respondent passed in I.A.No.1 and 2 in O.A.No.24 and 25 of 2011 dated 18.08.2022 and quash the same and consequently direct the 2nd respondent to implead the petitioner as Managing Trustee of Madurai Tallakulam Chinna Chokkikulam Yadavar Trust and decide the manner on merits within the time fixed by this Honourable Court.

For Petitioner : Mr. H.Arumugam

For Respondents : Mr. P.Subbaraj
Special Government Pleader (R1 & R2)

Mr. S.Manohar (R8)

ORDER



W.P. (MD) No. 23344 of 2022

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

2. The Third to Fifth Respondents have filed the applications in O.A. Nos. 24 and 25 of 2011 before the Second Respondent to declare that Arulmigu Sri Navaneethakrishnan and Sri Sakkarathalvar Temple (hereinafter referred to as 'the Act' for short) situated in T.S. No. 2904, Chinna Chokkikulam, Madurai is a Public Temple and for framing a scheme and appoint them as Trustees of the said Temple. The Petitioner had filed objections in I.A. Nos. 1 and 2 of 2022 for impleading itself as Respondent in O.A. Nos. 24 and 25 of 2011 which are pending before the Second Respondent, but it has been dismissed by order dated 18.08.2022, which is challenged in this Writ Petition.

3. It is represented that after the filing of the Writ Petition, the Petitioner has



W.P. (MD) No. 23344 of 2022

filed O.A. No. 1 of 2023 before the Second Respondent, which is posted for hearing on 25.01.2023 and that the Petitioner would be satisfied if all the applications in O.A. Nos. 24 and 25 of 2011 and O.A. No. 1 of 2023 relating to the same Temple are heard together by the Second Respondent.

4. Having regard to the limited relief sought, this Court without going into any merits of the controversy, passes the following order:-

- (i) the Second Respondent shall jointly hear the applications in O.A. Nos. 24 and 25 of 2011 and O.A. No. 1 of 2023 relating to the Temple of the Eighth Respondent;
- (ii) it shall be ensured that there is atleast one effective hearing every week showing progress of these cases;
- (iii) after affording full opportunity of hearing to the Petitioner and all other parties concerned following the prescribed procedure, a reasoned order shall be passed dealing with each of the contentions raised by the parties on merit and in accordance with law and the decision taken shall be communicated to the parties under written acknowledgment; and
- (iv) the report of compliance shall be filed before the Registrar (Judicial) of



W.P. (MD) No. 23344 of 2022

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In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

23.01.2023

Index : Yes/No

Internet : Yes /No

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Note: Issue order copy by 23.06.2023

To

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Madurai.



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W.P. (MD) No. 23344 of 2022

P.D. AUDIKESAVALU, J.

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Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai – 625023.

W.P.(MD)No. 23344 of 2022

Dated : 23.01.2023