



W.A.(MD) No.1986 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.1986 of 2023
C.M.P.(MD) No.15577 of 2023

K.V.Kannan

... Appellant

-Vs.-

1.V.A.Karuppaiya

... 1st Respondent/Writ Petitioner

2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Numkambakkam,
Chennai – 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department ,
Thanjavur.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukkottai.

5.The Thakar / Executive Officer,
Arulmigu Sri Poorna Puskala Samedha Sembaga Ayyanar Kovil,
Rep. by R.Muthukumara,
S/o.Ramalingam,
Nallambal Samuthiram Village,
Thirumayam Taluk,
Pudukkottai District.



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6.Vellaiyan Poosari

... Respondents 2 to 6/
Respondents 1 to 5

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PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 27.07.2023 made in W.M.P.(MD) No.9097 of 2023 in W.P.(MD)No.7678 of 2023 on the file of this Court.

For Appellant : Mr.B.Saravanan,
Senior Counsel
for M/s.E.Balasubramanian

For Respondents : Mr.S.P.Maharajan
Special Government Pleader
for R2 to R4

Ms.J.Anandhavalli for R6

J U D G M E N T

(Judgment of the Court was delivered by **V.LAKSHMINARAYANAN, J.**)

The Writ Petition has been filed challenging the interim order of the learned Single Judge, dated 27.07.2023, made in W.M.P.(MD) No. 9097 of 2023 in W.P.(MD)No.7678 of 2023.

2. In Connected Writ Appeal (MD) Nos.1900 and 1933 of 2023 dated 02.11.2023, we have already held that the first respondent Poosari,



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being the descendant of grand son of Vellai Adakalam Poosari, is the Hereditary Trustee.

3. Mr.B.Saravanan, learned Senior Counsel would argue that no order has been passed under Section 54 of the The Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. In the light of the order passed by the Joint Commissioner in O.A.No.166 of 1995, all that is required by the Joint Commissioner to pass a formal order of recognition of Hereditary Trustee. That does not give a cause of action to change or vary the line of Succession.

5. In the light of the above and following the judgment made in Writ Appeal (MD) Nos.1900 and 1933 of 2023, dated 02.11.2023, the Writ Appeal stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

NCC :Yes/No
Index :Yes/No
SJ

[S.M.S.J.] & [V.L.N.J.]
17.11.2023



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S.M.SUBRAMANIAM, J.
AND
V. LAKSHMINARAYANAN, J.

SJ

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Numkambakkam,
Chennai – 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department ,
Thanjavur.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukkottai.

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