



W.P.(MD)No.24393 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.24393 of 2023

Mohan @ Mohanasundaram

... Petitioner

versus

1. The Commissioner,
HR&CE Department,
No.119, Uthamar Gandhi Street,
Thousand lights,
Chennai – 600 034.

2. The Assistant Commissioner,
Office of Joint & Assistant Commissioner,
HR&CE Department,
Ellis Nagar,
Madurai – 625 016.

3. The Deputy Commissioner,
HR&CE Department,
No.18, Naatchi Street,
Virudhunagar – 626 001.

4. T.Selvaraj

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent to conduct enquiry and take necessary action for appointing the petitioner as the trustee based on his representation dated 06.04.2023, within the stipulated time fixed by this Court.

For Petitioner : Mr.S.Vikram

For R1 to R3 : Mr.P.Subba Raj,
Special Government Pleader

For R4 : Mr.R.Guna Sundaram

ORDER

The petitioner, claiming to be the hereditary trustee of Arulmigu Draupadi Amman Temple @ Dharmar Temple situated at Srivilliputhur, has submitted a representation dated 06.04.2023 to the respondents requesting to appoint him as hereditary trustee of the temple and filed this writ petition for a Mandamus directing the 3rd respondent to conduct enquiry and take necessary action for appointing him as hereditary trustee based on his representation.

2. Mr.R.Guna Sundaram, learned counsel, seeks permission of this Court to take notice for the 4th respondent and submits that the 4th



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respondent is the hereditary trustee of the Temple and the petitioner is not the hereditary trustee of the Temple.

3. Mr.P.Subba Raj, learned Special Government Pleader, who takes notice for respondents 1 to 3, on instructions, submits that there is a dispute between the petitioner and 4th respondent with regard to the affairs of the temple. The 4th respondent is none other than the sister's husband of the petitioner. If the petitioner submits an application under Section 63(b) of HR&CE Act along with the relevant documents to substantiate his claim that he is the hereditary trustee of the Temple, the same would be considered.

4. In view of the said submission, this writ petition is disposed of with liberty to the petitioner to submit an application under Section 63(b) along with the relevant documents before the second respondent, within a period of two weeks from the date of receipt of a copy of this order. In the event of filing any such application, the second



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respondent shall conduct an enquiry, after issuing notice to the 4th respondent and take a decision, within a period of 12 weeks from thereon. No costs.

09.10.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

To

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B.PUGALENDHI, J.

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