



WP(MD)No.29337 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.29337 of 2023

S.Chinniah

.. Petitioner

v.

1.The District Collector,
District Collectorate Office,
Madurai,
Madurai District.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellies Nagar,
Madurai – 625 011.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellies Nagar,
Madurai – 625 011.

4.The Inspector,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellies Nagar,
Madurai – 625 011.

5.S.Periyampillai

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 2 to 4 to issue an order of appointment by appointing the petitioner as hereditary trustee of Sri Andi Balagar Swamy Temple situated at Semminipatty Village Melur Taluk, Madurai District, by considering the petitioner's representation dated 21.11.2023.

For Petitioner : No appearance

For Respondents : Mr.P.Subba Raj,
Special Government Pleader
for R.1 to R.4

ORDER

This writ petition is filed for a mandamus directing the official respondents to pass necessary orders appointing the petitioner as the Hereditary Trustee of Sri Andi Balagar Swamy Temple situated at Semminipatty Village Melur Taluk, Madurai District, by considering his representation dated 21.11.2023.



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2. When the writ petition is taken up for hearing, there is no representation for the petitioner.

3. Learned Special Government Pleader, on instructions, submitted that the subject Temple is a scheme Temple. The petitioner has not filed any application before the Joint Commissioner u/s.63(b) of the Hindu Religious and Charitable Endowments Act. If any such application is filed and if the petitioner is eligible to be appointed as Hereditary Trustee, then a decision would be taken within a reasonable time.

4. Considering this submission of the learned Special Government Pleader, this writ petition is disposed of with liberty to the petitioner to file necessary application u/s.63(b) of the Hindu Religious and Charitable Endowments Act before the second respondent / Joint Commissioner within a period of three weeks from the date of receipt of a copy of this order. On receipt of such application, the second respondent shall consider the same and pass appropriate orders, after affording due opportunity of hearing to the petitioner, within a further period of four months therefrom.



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There shall be no order as to costs.

Index : Yes / No

13.12.2023

Internet : Yes

gk

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B.PUGALENDHI, J.

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