



W.P.No.19234 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19234 of 2015

And

M.P.Nos.1 to 3 of 2015

1.T.Swaminathan
2.M.Sugumaran

... Petitioners

Vs.

1.The Joint Commissioner
H.R. & C.E. Department,
Coimbatore.

2.The Assistant Commissioner
H.R. & C.E. Department,
Coimbatore.

3.The Fit Person,
A/M Plague Mariamman Temple,
Kinathukkadavu,
Coimbatore.

Also the Executive Officer,
A/M Mariamman Vinayagar Temple,
Sulakkal,
Kinathukkadavu Town and Taluk,
Coimbatore District.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records



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pertaining to the impugned order dated 24.08.2010 bearing Na.Ka.No. 4012/2006 A6 passed by the second respondent and the consequential order dated 18.06.2015 passed by the third respondent herein and quash the same and consequently forbearing the respondents herein from in any way interfering with the peaceful administration and management of the affairs of A/m.Sri Plague Mariamman Temple, Kinathukkadavu by the petitioner.

For Petitioners : Mr.V.P.Karthikeyan
For Respondents : Mr.NRR.Arun Natarajan for R1 and R2
Special Government Pleader
Mr.Rajesh Vivekanandan for R3

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order dated 24.08.2010 bearing Na.Ka.No.4012/2006 A6 passed by the second respondent and the consequential order dated 18.06.2015 passed by the third respondent and quash the same and consequently forbearing the respondents from in any way interfering with the peaceful administration and management of the affairs of A/m.Sri Plague Mariamman Temple, Kinathukkadavu by the petitioners.



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2.The learned counsel appearing for the petitioners submitted that the petitioners are the trustees of Sri Plague Mariamman Temple, Kinathukkadavu, however, without appointing the non hereditary trustee after their tenure is over, the respondents appointed Fit Person for the said Temple.

3.The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that Fit Person was appointed to some other Temple and non hereditary trustee will be appointed for Sri Plague Mariamman Temple, Kinathukkadavu after conducting enquiry.

4.Recording the submission made by the learned Special Government Pleader appearing for the respondents 1 and 2, this writ petition is disposed of with direction to the first respondent to appoint non hereditary trustee for Sri Plague Mariamman Temple, Kinathukkadavu, within a period of twelve weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioners and other interested persons if any.



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5.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Joint Commissioner
H.R. & C.E. Department,
Coimbatore.
- 2.The Assistant Commissioner
H.R. & C.E. Department,
Coimbatore.
- 3.The Fit Person,
A/M Plague Mariamman Temple,
Kinathukkadavu,
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