



W.P.No.33655 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33655 of 2013

And

M.P.Nos.1 and 2 of 2013

Sri Govindha Yathiraaja Jeeyar

... Petitioner

Vs.

- 1.The Secretary,
Government of Tamilnadu,
Department of Tourism, Cultural &
Religious Endowments,
Secretariat,
Chennai – 600 009.
- 2.The Commissioner
Tamilnadu Hindu Religious and
Charitable Endowments
Uthamar Gandhi Salai
Nungambakkam,
Chennai – 600 034.
- 3.The Joint Commissioner (General)
Tamilnadu Hindu Religious and
Charitable Endowments
Uthamar Gandhi Salai
Nungambakkam,
Chennai – 600 034.

4.Swamy Govinda Ramanuja Dasa

(R4 impleaded as per order dated
04.04.2014 by MMSJ in MP.1/14 in



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... Respondents

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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, call for records and quash the order dated 11.09.2013 of the first respondent in his proceedings Letter No.8535/RE 3.1/2013-2 and consequently direct the respondents to appoint the petitioner as Hereditary Religious Dharmakartha of Sri Athikesavaperumal and Sri Bashyakar Swami Devasthanam.

For Petitioner : Mr.Prahalad Bhat.K.

For Respondents : Mr.S.Ravichandran for R1 to R3
Additional Government Pleader
R4 – No Appearance

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus, to call for records and quash the order dated 11.09.2013 of the first respondent in proceedings Letter No.8535/RE 3.1/2013-2 and consequently direct the respondents to appoint the petitioner as Hereditary Religious Dharmakartha of Sri Athikesavaperumal and Sri Bashyakar Swami Devasthanam.

2.The learned counsel appearing for the petitioner submitted



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that the petitioner is the 21st Madathipathi of Sri Yathiraja Jeeyar

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Mutt. Sri Athikesavaperumal and Sri Bashyakar Swami Devasthanam in Sriperumbuthur is governed by a Scheme dated 03.01.1923 settled by the Sub-Court, Chengalpet in I.A.No.448 of 1992 in O.S.No.30 of 1921. The petitioner made representation to the respondents seeking to appoint him as the Hereditary Religious Dharmakatha of Sri Athikesavaperumal and Sri Bashyakar Swami Devasthanam in Sriperumbuthur and the said request was rejected by the respondents.

3.The learned Additional Government Pleader (HR&CE) appearing for the respondents 1 to 3 submitted that the remedy available to the petitioner is before competent civil Court as per the Scheme dated 03.01.1923 settled by the Sub-Court, Chengalpet in I.A.No.448 of 1992 in O.S.No.30 of 1921.

4.At this juncture, the learned counsel appearing for the petitioner submitted that this Court may grant liberty to file appropriate petition before the competent civil Court based on the Scheme dated 03.01.1923 settled by the Sub-Court, Chengalpet in I.A.No.448 of 1992 in O.S.No.30 of 1921.



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5.In view of the above, this Court grants liberty to the petitioner to work out the remedy before the competent civil Court in the manner known to law. This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

04.09.2024

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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Uthamar Gandhi Salai

4/5



Nungambakkam,
Chennai – 600 034.

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