



W.P.No.22457 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22457 of 2016

And

W.M.P.No.19168 of 2016

P.Rani

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem – 636 001.

2.The Election Officer/ Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Dharmapuri.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to order dated 15.06.2016 made in Na.Ka.No.2305/2015/A5 from the second respondent for conducting election for selection of hereditary trustees to Arulmighu Mariamman Temple at Avathanapatti, Agraharam Post, Krishnagiri Taluk and District and quash the same.



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For Petitioner : Mr.T.Dhanasekaran
For Respondents : Mr.K.Karthikeyan for R1 and R2
Government Advocate (HR & CE)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records pertaining to order dated 15.06.2016 made in Na.Ka.No.2305/2015/A5 from the second respondent for conducting election for selection of hereditary trustees to Arulmighu Mariamman Temple at Avathanapatti, Agraharam Post, Krishnagiri Taluk and District and quash the same.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the hereditary trustee of Arulmighu Mariamman Temple at Avathanapatti, Agraharam Post, Krishnagiri Taluk and District, however, the respondents decided to conduct election for selection of hereditary trustee which is not sustainable one.

3.The learned Government Advocate (HR & CE) appearing for the respondents submitted that the petitioner is not the hereditary trustee and her husband was the hereditary trustee. Immediately after the death of the petitioner's husband, the petitioner ought to have filed application under Section 54 (1) of the HR & CE Act before



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the Joint Commissioner, instead she has filed this writ petition and further submitted that election was conducted on 31.07.2024 and hereditary trustee was elected. He further submitted that if at all the petitioner has any grievance, she has to file application under Section 54 (1) of the HR & CE Act before the Joint Commissioner.

4.In view of the submission made by the learned Government Advocate (HR & CE), this writ petition is dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

28.08.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem – 636 001.
- 2.The Election Officer/ Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Dharmapuri.

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M.DHANDAPANI,J.
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