



W.P.No.8925 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.8925 of 2024
and W.M.P.No.9948 of 2024

1. R. Murugesan
2. R.Sakthivel

...Petitioners

Vs

1. The Commissioner,
Hindu Religious and Charitable
Endowments (A) Department,
Uthamar Gandhi Salai,
Chennai – 600 034.

2. The Joint Commissioner
Hindu Religious and Charitable
Endowments (A) Department,
Tirupur, Tirupur District.

3. The Assistant Commissioner
Hindu Religious and Charitable
Endowments(A) Department,
Karur, Karur District.

4. The Executive Officer,
Arulmighu Angalamman Temple,
Vadugapatti, Pothurowthanpatti Village,
Krishnarayapuram Taluk,
Karur District.



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5. K.P.Rajagopal

6. K. Sundaram

7. Ramakrishnan

8. Panchamalai

9. R.Gunasekaran

10. Rangasamy

11. Sundarraj

12. Rasu

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to dispose of our application in O.A.No.78 of 2021 (old O.A.No.21 of 2004), which is pending for more than 19 years without any progress, on a priority basis and pass orders.

For Petitioner : Mr.V. Chinnasami

For Respondents 1 to 4 : Mr. K. Karthikeyan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to dispose petitioner's



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application in O.A.No.78 of 2021 (old O.A.No.21 of 2004), which is pending for more than 19 years without any progress and pass orders.

2. The learned Government Advocate takes notice for the official respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that their father was the hereditary trustee of the Arulmighu Angalamman Temple situated at Vadugapatti, Pothurow thanapatti Village, Krishnarayapuram Taluk, Karur District. Due to ill health petitioners father appointed one Veerasamy to conduct the daily poojas and yearly festivals in the above temple. The said Veerasamy along with others with an intention to grab the temple properties filed O.A.No.52 of 1981 before Deputy Commissioner(Judicial), HR & CE, Tiruchirapalli under Section 63(b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. Thereafter, the said O.A has been transferred to the office of the Deputy Commissioner(Judicial), HR & CE, Chennai and after hearing both the parties the learned Deputy commissioner vide order dated



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11.03.1983 held that the petitioners have not established their case and dismissed the petition. Aggrieved over the dismissal order passed by the Deputy commissioner on 11.03.1983 the said Veerasamy and others filed an appeal in A.P.No.77 of 1983 before the first respondent herein, who in turn dismissed the appeal vide order dated 13.08.1985. However, the Respondents 5 to 12 herein have started disturbing the smooth functioning of hereditary trusteeship of the above temple. Hence the petitioners herein have filed an Application in O.A.No.21 of 2004 before the Joint Commissioner, H.R &C.E., Tiruchirapalli to declare the petitioners as the permanent hereditary trustees of the above temple. Due to bifurcation of jurisdiction the above said O.A.No.21 of 2002 has been transferred to the file of the Joint Commissioner, HR & CE, Tirupur, the second respondent herein and the said O.A was re-numbered as O.A.No.78 of 2021. The grievance of the petitioner is that the said O.A.No.78 of 2021 is pending before the second respondent herein for more than 19 years, due to which the respondents 5 to 12 in collusion with the 4th respondent was interfering with the functioning as the hereditary trustees of the above said temple. Hence this petition.



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4. When the matter came up for hearing today the learned Government Advocate appearing for the respondents produced a letter dated 02.04.2024 wherein it has been stated that the said O.A.No.78 of 2021 was dismissed for default on 27.03.2024.

5. In view of the fact that the O.A.No.78 of 2021 was dismissed for default, the present writ petition filed by the petitioners have become infructuous and the same are accordingly disposed of. Consequently, the connected miscellaneous petitions are closed. No order as to costs.

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Index:Yes/No

Speaking order/Non-speaking order

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