



W.P.No.10174 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10174 of 2024

S.Anguraj

...Petitioner

Vs

1.The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Commercial Tax Building, Ground Floor
Dr.Balasundaram Road, Coimbatore-641 018

2.The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department
Commercial Tax Building, Ground Floor
Dr.Balasundaram Road
Coimbatore-641 018

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to forthwith commence the selection process and appoint non-hereditary Trustees in Arulmigu Kamakshiamman and Karpaga Vinayagar Temple, Karamadaoi, Mettupalayam Taluk, Coimbatore District in pursuant to the notification issued by the 1st respondent on 28.04.2022 (SL No.22) by considering the petitioner's application dated 25.05.2022.



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For Petitioner : Mr. P.Saravana Sowmiyan

For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to forthwith commence the selection process and appoint non-hereditary Trustees in Arulmigu Kamakshiamman and Karpaga Vinayagar Temple, Karamadaoi, Mettupalayam Taluk, Coimbatore District in pursuant to the notification issued by the 1st respondent on 28.04.2022 (SL No.22) by considering the petitioner's application dated 25.05.2022.

2. 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 the Arulmigu Kamakshiamman and Karpaga Vinayagar temple was situated in Sf No.79/B3A and SF No.79/A in Karamadai Village, Mettupalayam Taluk, Coimbatore District. The First respondent invited applications for appointment of



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non-hereditary trustees to the said temple on 28.04.2022. Pursuant to which the petitioner and other persons also applied for appointment of non-hereditary trustees. The sum and substance of this case is that one person G. Subramanian suppressing the notification issued by the first respondent filed W.P.No.2398 of 2023 to consider the representation dated 27.05.2022 to appoint the three selected persons as trustees of the temple as per the resolution dated 15.05.2022 passed by the trust and this Court vide order dated 05.02.2024 disposed of the writ petition with a direction to consider the representation within a period of three weeks from the date of receipt of a copy of the order. Hence, the petitioner has come forward with this petition to forthwith commence the selection process and appoint non-hereditary trustees in Arulmigu Kamakshiamman and Karpaga Vinayagar temple, Karamadai, Mettupalayam Taluk, Coimbatore District as per the notification issued by the first respondent on 28.04.2022 by considering the petitioner's application dated 25.05.2022.

4. The learned counsel for the petitioner submitted that if the trustees are not appointed, the temple cannot be renovated and the



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functions cannot be conducted.

5.The learned Government Advocate appearing for the Respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's application dated 25.05.2022 and pass orders on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order or before 31.08.2024.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

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