



W.P.No.12658 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.12658 of 2024

Malliga

...Petitioner

Vs

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department, Vellore
No.12 and 54, Sons Plaza, 1st Floor,
Sathuvacheri Periya Theru,
Sathuvacheri, Vellore- 632 009

2. M.R.Ramanan

3. Varalakshmi

4. Vanathatchi

5. Saraswathi

6. T. Lakshmi

7. Kuppuswamy

8. Mohan Andal



W.P.No.12658 of 2024

WEB COPY

9. Sankari

10. Purushothaman

11. Selvamani

12. Kamala

13. Alli

14. Manonmani

15. Kannan

16. Prema

17. Venkataraghavan

18. Babu

19. Manimegalai

20. Padmini

21. Sridharan

22. Kalaiselvi

23. T. Yuvakumar

24. Kandasamy

25. Durgalakshmi

26. T.G. Thulasingham

27. Kotteswaran



W.P.No.12658 of 2024

28. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Vellore Division, Vellore

29. The Inspector,
Hindu Religious and Charitable Endowment Department,
Vellore Division, Vellore

30. The Fit Person
A.M Sundararaj Perumal and Thathreeswarar Thirukoil,
Thirumanam Village,
Pattbiram, Chennai-600 072
Administrative Office at A/m Thirumazhisai Alwar Temple,
Thirumazhisai, Thiruvallur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to expedite the proceedings under Section 63(b) of the Hindu Religious and Charitable Endowments Act bearing number Oa.No.1 of 2018 pending on the file of the first respondent and dispose the said proceedings within the time limit fixed by this Court and pass orders.

For Petitioner : Mr.G. Bharathi

For Respondent- 1 : Mr.K. Karthikeyan
Government Advocate



W.P.No.12658 of 2024

WEB COPY

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed seeking a direction to expedite the proceedings under Section 63(b) of the Hindu Religious and Charitable Endowments Act bearing number O.a.No.1 of 2018 pending on the file of the first respondent and dispose the said proceedings within the time limit fixed by this Court

3.The case of the petitioner is that the the 23rd respondent herein is the hereditary trustee of the Arulmigu Sundaraja Perumal Thirukovil and Arulmigu Thathreeswarar Thirukoil situated at Thirumanan Village, Pattabiram, Chennai 600 072. The sum and substance of the case is that there was a partition between one Thiru Ramanatha Mudaliyar and Thiru Nalla Chinna Thambi Mudaliyar and according to the said partition deed the elder members of the two families should administer the two temples in question. By virtue of the said partition deed, it is the second



W.P.No.12658 of 2024

WEB COPY

respondent who is entitle to inherit the post of hereditary trustee. Hence, the second respondent herein has filed O.a.No.1 of 2018 under Section 63(b) of the Hindu Religious and Charitable Endowments Act before the first respondent and the same is pending. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first respondent to expedite the proceedings under Section 63(b) of the Hindu Religious and Charitable Endowments Act bearing number O.a.No.1 of 2018.

5. The learned Government Advocate appearing for the first respondents submitted that they will consider the case of the petitioner along with R.C.Nos.1706 of 2016 and 9227 of 2018 which is pending on the file of the first respondent.

6. Considering the facts of the case, this Court without expressing any opinion on the merits of the case directs the first respondent to dispose of the O.a.No.1 of 2018 and pass orders after conducting an enquiry by affording reasonable opportunity of hearing to the petitioner



W.P.No.12658 of 2024

WEB COPY

as well as the concerned parties, within a period of five months from the date of receipt of a copy of this order.

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

03.06.2024

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

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department, Vellore
No.12 and 54, Sons Plaza, 1st Floor,
Sathuvacheri Periya Theru,
Sathuvacheri, Vellore- 632 009

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Vellore Division, Vellore

3. The Inspector,
Hindu Religious and Charitable Endowment Department,
Vellore Division, Vellore



WEB COPY



W.P.No.12658 of 2024

V.BHAVANI SUBBAROYAN,J.

Smn

W.P.No.12658 of 2024

03.06.2024