



W.P.No.21005 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.21005 of 2024

K.KARUPPAIAH

Vs

.. Petitioner

1. THE SECRETARY TO GOVERNMENT
HR AND CE DEPARTMENT,
SECRETARIAT,
CHENNAI-600009.
2. THE COMMISSIONER
HR AND CE DEPARTMENT,
NO.119, UTHAMAR GANDHI STREET,
NUNGAMPAKKAM,
CHENNAI-600 034.
3. THE JOINT COMMISSIONER
HR AND CE DEPARTMENT,
NO.60, MUTHUSAMY NAGAR,
SIVAGANGAI-630 561
4. THE EXECUTIVE OFFICER
ARULMIGU KOPPUDAIYA NAYAGI AMMAN TEMPLE,
KARAIKUDI,
SIVAGANGAI DISTRICT.



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5. ARULMIGU KOPPUDAIYA NAYAGI AMMAN TEMPLE
REP BY ITS FIT PERSON/MANAGER, PRADEEPA,
ARULMIGHU KOPPUDAIYA NAYAGI AMMAN TEMPLE,
KARAIKUDI, SIVAGANGAI DISTRICT.

6. M.ARUNACHALAM

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 4 herein to consider the petitioner's representation dated 19.6.2024 and initiate enquiry and take appropriate steps for modification of the scheme framed for Arulmighu Koppudaiya Nayagi Amman Temple, Karaikudi vide Judgment in A.S.No.116 and 117 of 1956 dated 24.12.1959 in tune with the provisions of HR and CE Act, 1959 and then proceed to appoint the Board of Trustees as per the modified scheme at the earliest possible time.

For the Petitioner : Mr.V.Meenakshisundaram

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for 1st respondent

: Mr.N.R.R.Arun Natarajan
Special Government Pleader
(HR & CE)
for respondents 2 and 3

ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

Heard Mr.V.Meenakshisundaram, learned counsel for the
petitioner; Mr.A.Edwin Prabakar, learned State Government Pleader



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for the first respondent; and, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) for respondents 2 and 3.

2. The petitioner seeks direction to respondents 1 to 4 to initiate enquiry and take steps for modification of the scheme framed in A.S.No.116 and 117 of 1956 dated 24.12.1959 for Arulmighu Koppudaiya Nayagi Amman Temple, Karaikudi in tune with the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and then proceed to appoint the Board of Trustee as per the modified scheme.

3. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE), who accepts notice on behalf of respondents 2 and 3, submitted that the grievance of the petitioner can be redressed only as per the procedure contemplated under Section 64(5) of the Act and the Joint Commissioner is empowered to modify and/or cancel any scheme in force.

4. Faced with the situation, learned counsel for the petitioner submitted that the petitioner be granted liberty to approach the Joint



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Commissioner under Section 64(5) of the Act.

5. In view of the above, the writ petition is dismissed with liberty to the petitioner, if he is so advised, to approach the Joint Commissioner under Section 64(5) of the Act. There shall be no order as to costs. Consequently, W.M.P.No.22956 of 2024 is closed.

(D.K.K., ACJ.) (K.B., J.)
25.07.2024

Index : Yes/No
NC : Yes/No
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To:

1. THE SECRETARY TO GOVERNMENT
HR AND CE DEPARTMENT,
SECRETARIAT, CHENNAI-600009.
2. THE COMMISSIONER
HR AND CE DEPARTMENT,
NO.119, UTHAMAR GANDHI STREET,
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THE HON'BLE ACTING CHIEF JUSTICE
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K.KUMARESH BABU,J.

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