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W.P.No.24321 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P.No.24321 of 2024

Azhagan Adiyaargal Arakkattalai,
No.76, Sivasubramaniya Swamy Kovil Street,
Rep. by its Founder K.Namachivayam,
Saidapet, Chennai.

...Petitioner

Vs.

1. The Chief Secretary of the Government,
Department of Tourism, Culture and Hindu Religious,
Secretariat,
St. George Fort, Chennai – 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowments Board,
119, Uththamar Gandhi Road,
Nungambakkam, Chennai – 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
119, Uththamar Gandhi Road,
Nungambakkam, Chennai – 600 034.
4. The Trustees,
Arulmigu Subramania Swamy Temple,
Sengunthankottam, No.43, Va.Su.Muthali Street,
Saidapettai, Chennai – 600 015.



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5. The Thakkar,
Arulmigu Subramania Swamy Temple,
Sengunthakottam, No.43, Va.Su.Muthali Street,
Saidapettai, Chennai – 600 015.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to grant permission to conduct Annadhanam and appoint hereditary of trustees of the board in Arulmigu Sivasubramania Swamy Thirukovil by considering the petitioner's representations dated 21.01.2023, 23.02.2023, 04.04.2024, 08.04.2024, 22.04.2024, 03.05.2024 and 10.06.2024.

For Petitioner : Mr.V.Arunkumar

For Respondents : Mr.NRR.Arun Natarajan, Spl.GP

ORDER

This Writ petition has been filed by the petitioner seeking to direct the respondents to grant permission to conduct Annadhanam and appoint hereditary of trustees of the board in Arulmigu Sivasubramania Swamy Thirukovil by considering the petitioner's representations dated 21.01.2023, 23.02.2023, 04.04.2024, 08.04.2024, 22.04.2024, 03.05.2024 and 10.06.2024.

2. In view of the consent expressed by the learned counsel on either side, this Writ Petition is taken up for final disposal at the admission stage



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itself.

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3. The case of the petitioner is that, the petitioner is a Charitable Trust, created for the purpose of doing religious service in the Hindu Temples. It is stated that the petitioner Trust made a fixed deposit of Rs.2,10,000/- in the year 2014 and Rs.1,20,000/- in the year 2018 in the name of the Temple account for the purpose of providing Annadhanam. It is further stated that the interest accrued from the said deposit would be handed over to the Trust by the fit person of the Temple for utilising the said amount for providing Annadhaanam. It is further stated that during the year 2016-2017, the fit person had handed over the said amount by way of cheques to the petitioner Trust for doing the Anna Dhaanam. Likewise, the petitioner made several representations dated 21.01.2023 and 23.02.2023 before the 5th respondent seeking permission for conducting Annadhanam and for appointment of inheritance trustee and for several other reliefs, which evoked no response. The petitioner further made several representations dated 04.04.2024, 08.04.2024, 22.04.2024, 03.05.2024 before the respondents herein seeking permission to conduct Annadhanam through the petitioner trust and despite receiving the same, till date, no orders have been passed granting permission to the



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petitioner trust to conduct Annadhanam. Hence, this Writ petition.

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4. Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the respondents herein to grant permission to the petitioner trust to conduct Annadhanam by considering the petitioner's representations dated 21.01.2023, 23.02.2023, 04.04.2024, 08.04.2024, 22.04.2024, 03.05.2024 & 10.06.2024 and to consequently appoint hereditary of trustees of the board in Arulmigu Sivasubramania Swamy Thirukovil.

5. Learned Special Government Pleader appearing on behalf of the respondents submitted that, the proper remedy available to the petitioner to ventilate his grievances is before the 3rd respondent, instead of approaching the 3rd respondent, filing this Writ petition is not sustainable. However, he fairly submitted that, appropriate orders will be passed on the petitioner's representations within the time stipulated by this Court.

6. In view of the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case directs the petitioner to make a fresh representation before the 3rd respondent



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along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order for ready reference and upon receipt of such representation, the 3rd respondent shall consider the same on merits and in accordance with law and pass appropriate orders, within a period of four (4) weeks thereafter, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above directions, this Writ petition stands disposed of.

No costs.

27.08.2024

skt

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

1. The Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
7th Floor, NPKR Maligai, Chennai – 600 002.
2. The Deputy Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
7th Floor, NPKR Maligai, Chennai – 600 002.



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3. The Assistant Electrical Engineer (O & M),
Anna Nagar - North Division.

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M.DHANDAPANI, J.

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