



WEB COPY



W.P.No.28272 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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Karpoora Chetty Kothra Uppiliya Naicker Social Welfare
and Cultural Trust,
Rep. by its President,
T.Chandrasekar,
D.No.EWSB-799, Housing Board Extension,
Veerapanchatram,
Erode – 638 011. ... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments,
D.No.119, Uthamar Gandhi Road,
Chennai – 34.
2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Near Trust Hospital,
Natesa Mill Compound,
Perundurai Road,
Erode. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, to direct the respondent-2 to
register the Original application SR No.9420/2023 dated 05.10.2023 and
thereby further direct the respondent-2 to dispose the original application



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filed by petitioner in accordance as per law within time as stipulated by this court.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the 2nd respondent to register the Original application SR No.9420/2023 dated 05.10.2023 and thereby further direct the respondent-2 to dispose the original application filed by petitioner in accordance as per law within time as stipulated by this court.

2. Mr.K.Karthikeyan, learned Government Advocate, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, he is the President of the aforesaid Trust, which was formed on 07.07.2020 and consisting of 280 members, whom are hailing only from Uppiliya Naicker Community



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alone and living in the Veerapan Chathram. The said community people are worshipping their common family god named Karunanrayan, who is the presiding deity along with consort Pomma Deviyar at Karuvanrayan Pomma Deviyar Thirukoil, which is primarily situated at heart of Erode, specifically at Veerapan Chatram in Erode and the Lord showing his blessings to the said community people since the year 1950 till date at the said place. Whiles, the petitioner had filed a writ petition before this court in W.P.No.26009 of 2023 to direct the writ mentioned temple as private temple and this court, by its order, dated 05.09.2023, directed the petitioner to approach the 2nd respondent to seek remedy in accordance with law. Thereafter, the petitioner filed an Original application before the 2nd respondent in O.A.SR.No.9420 of 2023 dated 05.10.2023 to declare the writ mentioned temple as private u/s 63(a) of Tamil Nadu Hindu Religious and Charitable Endowments Act. However, till date, the said application was not numbered even though the petitioner has rectified all the defects as noted by Registry of the 2nd respondent. Hence, the petitioner has filed the present writ petition.

4. Though very many grounds have been raised in this writ petition, however, learned counsel for the petitioner submitted that, it



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would suffice, if this court, issues a direction to the 2nd respondent to register the Original Application SR No.9420 of 2023 dated 05.10.2023 filed by the petitioner and dispose of the same on merits and in accordance with law, as expeditiously as possible.

5. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the 2nd respondent to register and hear the Original Application SR.No.9420 of 2023 dated 05.10.2023 filed by the petitioner and dispose of the same, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after providing an opportunity of personal hearing to the petitioner and the aggrieved persons, if any.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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