



W.P.No.27809 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27809 of 2024

Muniyappan

... Petitioner

Vs.

1.The Commissioner, (H.R. & C.E.)
No.119, Nungambakkam High Road,
Chennai-600 034.

2.The Joint Commissioner (H.R. & C.E.)
Kottai Mariamman Temple Compound,
Salem-636 001,
Salem Taluk, Salem District.

3.The Assistant Commissioner (H.R. & C.E.)
Kottai Mariamman Temple Compound,
Salem-636 001,
Salem Taluk, Salem District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to dispose of O.A.No.7 of 2001 along with I.A.Nos.7, 8, 9, 10 and 11 of 2023 within a time frame fixed by this Court.



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For Petitioner : Mr.K.Sathish Kumar
For Respondents : Mr.K.Karthikeyan
Government Advocate
(HR & CE)

ORDER

This Writ Petition has been filed to direct the second respondent to dispose of O.A.No.7 of 2001 along with I.A.Nos.7, 8, 9, 10 and 11 of 2023 within a time frame fixed by this Court.

2. The case of the petitioner is that a petition under Section 63(b) of Hindu Religious and Charitable Endowments Act, 22/1989, filed by one N.Raman, R.N.G.Vijaykumar, P.Pachamuthu, S.Mani, K.Sigamani, Seetharaman, to declare them as holding office of Hereditary Trusteeship cum Poojariship of Arulmigu Mannarsamy and Pachiamman (Pachayee Amman), Gugai, Annathanapatti Village, Salem District in O.A.No.7 of 2001, was allowed vide order dated 23.12.2004, against which, an appeal was preferred by the third parties claiming trusteeship and the same was disposed of vide order dated 24.06.2014 by setting aside the order



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dated 23.12.2004 made in O.A.No.7 of 2001 and the matter was remitted back to the second respondent herein. Aggrieved over the same, W.P.No.28473 of 2014 was filed before this Court and it was disposed of on 01.09.2023, by directing the second respondent to dispose of the Original Application No.7 of 2001 within a period of four months from 22.09.2023 and in the writ petition filed by one Sellalakannan, this Court directed him to file impleading petition in O.A.No.7 of 2001 and thereafter, the petitioner and others filed impleading petition in I.A.No.9 of 2023 in O.A.No.7 of 2001 and several persons have also filed impleading petition in I.A.Nos.7 to 11 of 2023 seeking to implead them in O.A.No.7 of 2001, however, till date, no decision has been taken in the main application. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to dispose of O.A.No.7 of 2001 along with I.A.Nos.7, 8, 9, 10 and 11 of 2023, on merits



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and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to dispose of O.A.No.7 of 2001 along with I.A.Nos.7, 8, 9, 10 and 11 of 2023, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

24.09.2024

NCC: Yes / No
Index : Yes / No



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Speaking Order : Yes / No

ssb

To

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M.DHANDAPANI, J.

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