



W.P.No.30614 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30614 of 2024

S.Vasudevan

...Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Utthamar Gandhi Road,
Nungambakkam, Chennai - 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Coimbatore - 641 018.
3. The Executive Officer,
Arulmigu Srinivasa Varadaraja Perumal Temple,
Sundappalayam, Coimbatore - 641 007.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to dispose M.P.No.05/2016/B1 dated 12.04.2016 pending on his file within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.Govind Chandrasekhar

For Respondents : Mr.K.Karthikeyan, Government Advocate



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ORDER

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The petitioner has filed this Writ petition seeking direction to the 2nd respondent to dispose of the petition in M.P.No.05/2016/B1 dated 12.04.2016.

2. Mr.K.Karthikeyan, learned Government Advocate takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, the petitioner's ancestors constructed the Arulmigu Srinivasa Varadaraja Perumal Temple situated at Sundappalayam village, Coimbatore and since its coronation, the temple has been under the custody of the petitioner's family and the trusteeship of the temple has been declared to be hereditary in character, vide decree made in O.S.No.69 of 1914 and subsequently, a scheme was also framed by the 1st respondent, vide order dated 19.03.2024 for the management of the said temple. After the demise of one S.A.Raghavan, who was recognized as the trustee, vide order dated 18.03.1967 by the Deputy Commissioner for Hindu



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Religious and Charitable Endowments (Administration) Department,

Chennai, his wife namely Janaki Ammal stepped into the trusteeship of the said temple. While so, as the said couple had no children and the said Janaki Ammal suffered from chronic ailments, she appointed the petitioner and his successors in line as the Hereditary trustees of the said temple, vide her WILL dated 12.09.2013 and subsequently she passed away on 28.01.2020. Thereafter, the petitioner filed a petition under section 54(1) of the HR & CE Act in M.P.No.5/2016/B1 before the 2nd respondent seeking recognition as the Hereditary trustee of the said Arulmigu Shri Varadaraja Temple and pursuant to the notice dated 12.04.2016, the petitioner attended the hearing scheduled on 14.06.2016 and furnished documents in support of his claim. Though the 2nd respondent held regular hearings until November 2017, thereafter, the petitioner's application was kept pending and till date, no orders have been passed on the same. Hence, this Writ petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 2nd respondent to dispose of the petition filed by the petitioner under section 54(1) of the HR & CE Act in M.P.No.05/2016/B1, as expeditiously as



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possible.

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5. Learned Government Advocate appearing on behalf of the respondents submitted that, appropriate orders will be passed on the petition in M.P.No.05/2016/B1 within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 2nd respondent to consider the petition in M.P.No.05/2016/B1 on merits and in accordance with law and dispose of the same within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any.

7. With the above directions, this Writ Petition stands disposed of. No costs.

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NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

To:

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M.DHANDAPANI, J.

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