



WP(MD)No.450 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP (MD) No.450 of 2024
and
WMP (MD) No.485 of 2024

Esakki

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and
Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and
Endowments Department,
Tirunelveli - 2.
- 3.The Assistant Commissioner,
Hindu Religious and
Endowments Department,
Tirunelveli.
- 4.Periyasamy,
Trustee,
Arulmighu Sri Pasunkili
Ayyan Sastha Temple,
Gopalasamudram,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India for issuance of writ of



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mandamus directing the 1 and 2 more particularly the 2nd respondent to implement the order passed by the 2nd respondent in Na.Ka.No.3671/2022-1/A2, dated 22.02.2023 in respect of the Arulmighu Pasungili Ayyan Sastha Temple, situated at Gopalasamudram Tirunelveli District under Section 49 of the Tamil Nadu HR and CE Act, 1959 within a time frame fixed by this Court by considering the petitioner's representation dated 11.12.2023.

For Petitioner : Ms.C.Geetha

For Respondents : Mr.P.Subba Raj

Special Government Pleader

ORDER

According to the petitioner, Arulmighu Pasungili Ayyan Sastha Temple of Gopalasamudram, Tirunelveli District was built by his ancestors, belonging to Patharaipangu Thevar Uravinmurai and around 192 families are worshipping the deity. In the year 1999, a scheme was framed u/s 64(1) of the Hindu Religious and Charitable Endowments Act, 1959 in O.A.No.1 of 1999, dated 20.06.2006, that the Temple shall be administered by Non-Hereditary Trustees not less than



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three and not more than five, selected from the members of Patharai Pangu Thevar Community living in Gopalasamudram Village, subject to the qualifications mentioned u/s.26 of the Act. The petitioner has approached the respondents for appointing the Non-Hereditary Trustees and has filed this writ petition for appointment of the Trustees, as per the order of the second respondent / Joint Commissioner dated 22.02.2023.

2.Mr.P.Subba Raj, learned Special Government Pleader appearing for the respondents 1 to 3 by relying upon the order passed by the second respondent / Joint Commissioner in Se.Mu.Na.Ka.No. 30/1/22/A2, dated 05.01.2024, submits that one Isaki Pandian S/o.Sivasubraanian, Nivek S/o.Isaki, Savarivasan S/o.Madasamy were appointed as Non-Hereditary Trustees, as per the scheme. Therefore, nothing survives for further adjudication in this writ petition.



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3.Recording the above submission, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is also dismissed.

10.01.2024

Internet : Yes / No

DSK

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