



W.P(MD)No.833 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.833 of 2024

K.V. Kannan

...Petitioner

Vs

1.The Commissioner,
Hindu Religious and
Charitable Endowment Department,
Numgambakkam,
Chennai – 600 034.

2.The Joint Commissioner,
HR & CE Department,
Thanjavur.

3.Fit Person/ Executive Officer,
Arulmigu Senbaga Sastha Ayyanar Temple,
Nambooranipatti,
Thirumayam Taluk,
Pudukottai District.

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the first respondent to dispose of the appeal in A.P.No.08/2023/D2, dated Nil, filed against the order passed by the second respondent in R.C.No.674/2022/E2, dated 24.02.2023 within a time frame fixed by this Court.

For Petitioner : Mr.D.Kirubakaran
For Respondents : Mr.P.Subba Raj
Special Government Pleader

ORDER

The petitioner has filed this writ petition for an early disposal of an appeal filed by one Vellaiyan Poosai, which is pending before the Commissioner, HR & CE Department, Chennai.

2.The case of the petitioner is that one Adaikkalam Poosari, father of Vellaiyan Poosari was appointed as hereditary trustee of Arulmighu Senbaga Sastha Ayyanar Temple, situated at S.No.73, Nallammal Samuthiram Revenue Village, Thirumayam Taluk, Pudukottai District. The above temple was maintained by the family members of Adaikalam Poosari. After the demise of Adaikalam Poosari on 19.04.1985, his sons, V.A.Karuppaiya and



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Vellaiyan Poosari are administering the temple. At this juncture, Vellaiyan Poosari has filed an application in R.C.No.674/2022 before the Joint Commissioner, HR & CE Department, Thanjavur to declare him as a hereditary trustee of the temple and the same was dismissed. Challenging the same, Vellaiyan Poosari filed an appeal under Section 54(4) of Tamil Nadu HR & CE Act, 1959 before the Commissioner, HR & CE Department and the same was taken on file in A.P.No.08/2023/D2. The grievance of the petitioner is that the appeal filed by Vellaiyan Poosari is still pending without any progress.

3.Though the petitioner has filed this writ petition for an early disposal of an appeal filed by Vellaiyan Poosari, he has not impleaded the said Vellaiyan Poosari as a respondent in this writ petition. More over, the petitioner has not disclosed his relationship with the temple in this writ petition.



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4.In view of the above, this writ petition is dismissed.

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No costs.

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NCC: Yes/No

Index:Yes/No

Internet:Yes

vrn

To

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B.PUGALENDHI, J.

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Order made in
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