



W.P(MD)No.1299 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.01.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.1299 of 2024
and
W.M.P.(MD)Nos.1332 and 1336 of 2024

E.Malathi

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruchirapalli.

2.The Executive Officer,
Arulmigu Venugopalasamy Temple,
Thuraiyur Town and Taluk,
Tiruchirapalli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings in MP No.121 of 2023/B4 dated 15.09.2023 on the file 1st respondent, and quash the same as arbitrary and illegal and consequently direct the respondents to follow the procedures contemplated under Section 78 of the Hindu Religious



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and Charitable Endowment Act within the time frame stipulated by this Court.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1.
Mr.G.Mathavan for R2.

ORDER

Heard both sides.

2.What is under challenge is a mere notice issued under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act. When we posed a question to the learned counsel for the petitioner as to why this writ petition was filed, he replied that without adhering to due process of law, coercive action was sought to be taken and that is why, the writ petition was filed.

3.We make it clear that the petitioner has to given due opportunity in the enquiry to be conducted by the first respondent. The first



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respondent shall adhere to due process of law. We make it clear that we have not gone into the merits of the matter. All the contentions of the petitioner are left open.

4. With this observation, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

**(G.R.S.J.) & (B.P.J.)
23.01.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruchirapalli.



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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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